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No. 67

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WILSON of Ohio).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 6, 2010.

I hereby appoint the Honorable CHARLES A. WILSON to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Pastor Tim Alexander, Smith Springs Church of Christ, Nashville, Tennessee, offered the following prayer:

O, God, hear the weary prayers of my beloved Nashville. The floods have moved houses off their foundations. O, God, be the foundation of our hope to rebuild; comfort and sustain us. As the waters recede, let our energies rise as we work together.

O, God, from this place, a young man, Bradley, 21 just yesterday, from our church, was sent to war. Today, in his country's service, Bradley moves in harm's way. Give him courage. Grant his leaders wisdom. Bring him home safe and whole. O, God, bless his parents, Angie and David. Bless his grandparents, Gerald and Lynne and Bettye. Grant them a measure of peace even as he is in danger.

As words have weight, even much more do the names of our sons and daughters have precious worth. Many sons and daughters who bear our names have been sent from this place. You know their names, O, God, and ours. Grant all who command them to be aware of them and of their families and of their names. Grant that leadership is ever tender to people with names.

This I pray in the name of Your Son, Jesus.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from California (Mrs. CAPPs) come forward and lead the House in the Pledge of Allegiance.

Mrs. CAPPs led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 5148. An act to amend title 39, United States Code, to clarify the instances in which the term "census" may appear on mailable matter.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3111. An act to establish the Commission on Freedom of Information Act Processing Delays.

WELCOMING PASTOR TIM ALEXANDER

The SPEAKER pro tempore. Without objection, the gentleman from Tennessee (Mr. COOPER) is recognized for 1 minute.

There was no objection.

Mr. COOPER. Mr. Speaker, we are honored to have here today Minister Tim Alexander from Nashville, Tennessee, to offer a prayer for Nashville and for this House.

Minister Alexander is a remarkable man. He and his wife, Polly, have been married for 26 years. They have two wonderful children: Abby and Ethan. Mr. Alexander has administered the flock at Smith Springs Church of Christ now since 1999 and has been a preacher of the gospel since 1984. He does much good work outside the church for victims of child sexual abuse and for victims of crime in general, so we are deeply honored to have Tim Alexander with us today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Ms. JACKSON LEE of Texas). The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

FINANCIAL REFORM

(Mr. GUTIERREZ asked and was given permission to address the House for 1 minute.)

Mr. GUTIERREZ. Madam Speaker, the old joke around Congress is that the Senate is Washington's legislative hospice: a place where good bills and ideas go to die a slow and quiet death.

I had really hoped that, given the necessity for financial reform today, this joke would have been proven wrong. Unfortunately, many of the reforms passed in the Wall Street Reform and Consumer Protection Act of 2009, including strong consumer protections and much-needed reforms to the industry, are being watered down.

The latest victim of this appeasement and the most egregious example of the Senate's appeasement strategy

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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for Wall Street lobbyists is here, which is the removal this week of the dissolution fund. I made sure that this dissolution fund was included in the House bill. It was intended to act much like your car insurance by discouraging risky behavior.

Let's say that a bank like Goldman Sachs drove a new Ferrari down the road with little regard for traffic or public safety. It would then be assessed more in fees to the fund than a bank that drives safely and observes all the posted signals.

Think again. Under the new plan in the Senate, Goldman can drive its Ferrari any way it wants, and when it crashes, the American public will have to pay.

59TH CELEBRATION OF OUR NATIONAL DAY OF PRAYER

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Madam Speaker, today is the 59th celebration of the National Day of Prayer.

Like most Americans, I believe that the effective and fervent prayer of a righteous man availeth much, and what is true of individuals is also true of nations.

The truth is that America has always been a Nation of prayer. Pilgrims relied on prayer during their first and darkest winter. Our Founding Fathers prayed during the Continental Congress in 1776. President Lincoln offered his famous proclamation for humility, fasting, and prayer at the height of the Civil War, and President Truman named the National Day of Prayer in 1952.

Sadly, voluntary prayer has been under attack of late. It has been driven from our public schools and from our graduation ceremonies by activist courts. Just last month, a Federal court declared this National Day of Prayer to be unconstitutional. That ruling ignored our history, our traditions, and it should be overturned.

During these days of challenge for American families at home and abroad, on this National Day of Prayer, let it be said now more than ever: we are a Nation of prayer.

SUPPORTING OUR VETERANS AND THE ARC LEGISLATION

(Mr. WILSON of Ohio asked and was given permission to address the House for 1 minute.)

Mr. WILSON of Ohio. Madam Speaker, this week, I introduced the Appalachian Veterans Outreach Improvement Act to improve access to services and benefits for veterans in Appalachia. My legislation would authorize a cooperative agreement between the Secretary of the VA and the Appalachian Regional Commission, or ARC.

In rural districts like mine, veterans often lack the access and resources

necessary to receive the benefits and services that they have earned. Veterans in Appalachia encounter difficult obstacles, like having to travel great distances to get service. This legislation would highlight ARC's unique understanding of the Appalachian region, and it would allow the VA to work with the ARC to provide technical assistance to our veterans.

I urge my colleagues to join me in standing up for this rural veterans act.

NICOLE—KIDNAPPED

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, Brazil has become a haven for stolen children from the United States. There are over 50 kidnapped children in Brazil.

Fox News 26 in Houston, Texas, first brought attention to the story of one little girl who was stolen from her father—my friend and constituent, Marty Pate. Marty lives in Crosby, Texas, and he has not seen his daughter, Nicole, in 4 years. Her mother, Monica, is a native of Brazil. She took Nicole on a trip there in 2006, and she never came back.

Legal documents from Texas give Marty joint custody, and international law requires Brazil to return Nicole to America. Marty wants to see his daughter and have her visit her family in the United States, but officials in Brazil are still stonewalling and are ignoring their legal duty.

Our State Department must pressure Brazil to follow its international treaty obligations, and Brazil must stop sanctioning the kidnapping of American children.

Marty has the right to be reunited with his kidnapped daughter, Nicole.

And that's just the way it is.

GULF OF MEXICO OIL SPILL

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Madam Speaker, it is painfully clear that BP's gulf oil spill could dwarf any environmental disaster in our Nation's history.

This tragedy has claimed 11 lives. It has contaminated the water with millions of gallons of oil, and it is impacting the livelihoods of all who make their living from the gulf's resources. But this disaster will be all the more tragic if we fail to learn from it.

The first steps, of course, are to stop the leaks, to contain the spill, and to attend to the devastating consequences of the explosion and of its aftermath. The Obama administration swiftly responded to the BP disaster from day one. It mobilized the government's resources to minimize the harm on the health, economy, and the environment of the coast. Now it is time to ensure the complete scrutiny of this horrible environmental disaster.

Today, I am introducing legislation to establish an independent commission to examine the causes of the BP disaster and to make recommendations to prevent future tragedies. I urge my colleagues to join me in this effort to make sure a disaster like this never happens again.

SUDAN

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Madam Speaker, Sudan—genocide—killing. Many of the household names once engaged on Sudan have moved on to the next cause while the refrain “never again” echoes faintly, but the desperation in Darfur's camps is still a reality.

The CPA which ended Khartoum's brutal 20-year civil war with the south where 2.1 million perished—and where mainly Christians died—hangs in the balance. Against this backdrop, the administration's policy is languishing.

There is an immediate need for renewed, principled leadership on Sudan at the highest levels—leadership which is clear-eyed about the history of the internationally indicted war criminal at the helm in Khartoum. These are the people who gave safe haven to Osama bin Laden from 1991 to 1996.

President Obama must empower Secretary Clinton and Ambassador Rice to take control of this faltering policy. Time is running out. Lives hang in the balance. A stalemate policy in Sudan is not an option. President Obama must act.

TAX EXTENDERS/RAIL

(Mr. ARCURI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARCURI. Madam Speaker, improving our rail infrastructure isn't just about getting people and goods from here to there faster and more efficiently. It is the heart of regional economic development, connecting communities, businesses, consumers, and producers to foster the kind of economic growth and job creation we as a Nation need.

Our short line railroads are at the center of this, but because the Tax Extenders Act of 2009 has not been enacted into law, they have been unable to plan vital maintenance work this construction season. The section 45G short line railroad tax credit included in this bill generates 6.9 million work hours of rail maintenance-of-way each year—the equivalent of more than 3,300 full-time jobs nationwide, not to mention the tens of thousands of jobs in America's steel and timber industries that make railroad ties and steel rail.

Our short line railroads are too important to our economic recovery to neglect them any longer. It is time for both the House and the Senate to come

to an agreement so we can put Americans back to work and so we can keep our railroads operating smoothly.

□ 1015

AMERICANS SUPPORT IMMIGRATION LAWS

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, after days of a national media pounding the new Arizona immigration law and highlighting demonstrations against it, guess what? The number of Americans who describe illegal immigration as a serious problem actually increased; and 78 percent feel that the Federal Government should do more to stop illegal immigration, according to a New York Times poll.

Another recent poll found that 84 percent of Americans are concerned that illegal immigrants burden schools, hospitals, and government services; 77 percent say that illegal immigration drives down wages; and 89 percent, 89 percent, feel it is important to halt the flow of illegal immigrants, a USA Today poll found just a couple of days ago.

So despite the media bias against immigration laws, the American people still overwhelmingly want to secure the border, save jobs for those in the country legally, and reduce the burden of illegal immigration.

DON'T ASK, DON'T TELL

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Madam Speaker, the Secretary of Defense has asked Congress not to repeal Don't Ask, Don't Tell until the Pentagon has another year to review the policy.

With all due respect, we've been reviewing the policy since its implementation in 1993. To paraphrase the words of Dr. Martin Luther King, here are some reasons why we can't wait:

Another year of dismissals will add to the 13,500 who have already been fired under the law since 1994. Another year will reduce the ranks of mission-critical troops and linguists, harming our national security. Another year will mean we will continue to allow young patriots to lose their lives for us but not allow them to live the lives they choose.

Our troops agree, our allies agree, and leaders of our Nation agree we must repeal this policy now. Dr. King wrote: "The time is always right to do what is right."

Madam Speaker, that is why we can't wait.

THE COOKIE LADY

(Mr. WILSON of South Carolina asked and was given permission to ad-

dress the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, while they are courageously serving our great Nation overseas, America's brave men and women in uniform are receiving sweet treats from South Carolina's Ms. Janet Cram, the Cookie Lady.

Ms. Cram, a Hilton Head Island resident, has organized Treat the Troops, a baking program to send delicious cookies to troops in harm's way.

She doesn't act alone in this endeavor. Her friends, also known as Crumbs, help her prepare the packages and batter. Baking over 2 million cookies for our troops, Jeanette and her Crumbs started this process in 1990 during the gulf war.

America is in a new era in which our soldiers are working around the world protecting American families at home by preventing additional acts of terrorism. It is uplifting to know that individuals like Jeanette and her Crumbs are doing their part to help our troops and sweeten their days.

In conclusion, God bless our troops, and we will never forget September the 11th in the Global War on Terrorism.

Congratulations on the success of the National Day of Prayer. Welcome, Franklin Graham, to Capitol Hill.

PROVIDING FOR CONSIDERATION OF H.R. 5019, HOME STAR EN- ERGY RETROFIT ACT OF 2010

Ms. MATSUI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1329 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1329

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5019) to provide for the establishment of the Home Star Retrofit Rebate Program, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 10 of rule XXI. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each

such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. All points of order against such amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. The Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Energy and Commerce or his designee. The Chair may not entertain a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII).

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. MATSUI. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, House Resolution 1329 provides a structured rule for consideration of H.R. 5019, the Home Star Energy Retrofit Act. The rule waives all points of order against consideration of the bill, except those arising under clause 9 or 10 of rule XXI, and provides that the bill be considered as read.

The rule waives all points of order against the bill itself. The rule makes in order the eight amendments printed in the Rules Committee report and waives all points of order against those amendments except those arising under clause 9 or 10 of rule XXI. The rule provides one motion to recommit with or without instructions.

The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Energy and Commerce or a designee. The Chair may not entertain a motion to strike out the enacting words of the bill.

Madam Speaker, I rise this morning in strong support of the rule for the Home Energy Retrofit Act and the underlying bipartisan legislation.

I would like to applaud Chairman WAXMAN, Representative WELCH, Representative EHLERS, and my fellow colleagues on the Energy and Commerce Committee for their hard work on bringing this important bill to the floor today.

Madam Speaker, as our Nation moves toward a more energy-efficient economy, it is critical that we adopt policies that enable us to become the world leader in promoting smart energy use and manufacturing energy-efficient products.

As our Nation continues its economic recovery, we must continue to focus on job creation. By increasing energy efficiency, we will not only create jobs and incentivize the emerging clean technology industry but also reduce carbon pollution and cut costs for customers.

H.R. 5019 would increase residential efficiency and create almost 170,000 jobs nationwide, thereby reducing the current 25 percent unemployment rate in the construction sector. Specifically, it would authorize a Silver Star rebate program, which would allow homeowners to buy and install more affordable energy-efficient products. The bill would do this by providing rebates of up to \$1,500 for the installation of energy-efficient improvements, including upgraded installation, duct sealing replacements, and installation of storm windows and energy-saving doors.

This legislation would also authorize the Gold Star rebate program, which would provide rebates of up to \$3,000 to those who make their entire homes at least 20 percent more energy efficient. As a result, the bill will have a meaningful long-term impact on energy use in communities across our country.

Recent estimates indicate that more than 3 million families would participate in a program like this. Such a participation rate would save these families \$9.2 billion on their energy bills over the next 10 years, or the power equivalent of 6.8 million gallons of heating oil.

Madam Speaker, my hometown of Sacramento is poised to be a national leader in clean tech and energy efficiency. Sacramento has received over \$200 million in energy efficiency and clean technology grants through the Recovery Act.

H.R. 5019 would build on the roughly \$11.8 million in Recovery Act investments that have already been delivered to Sacramento to support energy audits and energy efficiency retrofits in residential and commercial buildings. These allocations include \$7.8 million in Weatherization Assistance Program funding, \$19.9 million for the Sacramento Municipal Utility District, \$16.6 million in municipal financing to Sacramento County.

Madam Speaker, it is clear that the Home Star bill is in keeping with our Nation's commitment to improve the quality of our air, reduce our carbon footprint, lower families' energy bills, and create green jobs. These are all goals that my district has embraced.

Like many areas of the country, Sacramento has demonstrated great leadership on energy efficiency and clean technology. I have been organizing an effort in the Sacramento region to ensure coordination and to advance the energy efficiency and clean-tech industry.

It is imperative that we make energy-efficient products a brand that more and more Americans will purchase. We are lagging behind China and Germany in producing and exporting clean energy products, and that is simply unacceptable.

That is why I recently introduced H.R. 5616, legislation to boost clean-technology exports from the United States. The Home Star Energy Retrofit Act would further expand the market for energy-efficient products.

Madam Speaker, I again applaud Chairman WAXMAN's efforts to bring this bill before the full House today. As our economic recovery continues, it is important that we continue to support the Home Star program and other job creation proposals. H.R. 5019 does not represent the end of our work, but reflects another critical step forward for the American people and for our environment.

I thereby urge my colleagues to support the rule and the underlying legislation.

Madam Speaker, I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I yield myself such time as I may consume.

I thank the gentlewoman from California for the extension of the time, my friend from the Rules Committee, whom I enjoy working with very much.

Madam Speaker, I rise in opposition to this rule and the underlying bill.

Yesterday in the Rules Committee, the Democrat majority once again shut out good Republican ideas while rolling 15 Democratic amendments into the manager's amendment. These were 15 Democrat requests to add into the bill, and the Rules Committee saw fit to get that done for those Members of the Democratic Party. This is not the way to have an open, honest Congress, as our Speaker, Nancy PELOSI, promised in 2007.

Madam Speaker, what Republicans are going to talk about today is a number of issues, but perhaps key among them is the priority items that are on this floor today that is about more spending, more deficit spending, and against the ideas that this Speaker and the Democratic majority have talked about, about paying for bills.

□ 1030

I think what we are going to learn today, and as we move forward, is the Democratic Party is having problems making a decision about how they will pay for these bills because we have had so much massive spending, so many new programs, that this majority is incapable of setting any priorities. In other words, if you want something

else, the public was sold, that the Democrats would be open to taking it from somewhere else and constantly making prioritization. In fact, that's not true. What it's all about is just adding in more spending and more debt without regard for making tough decisions.

I disagree with that. I think it's a bad policy. I think if you say you are going to require bills to be paid for under PAYGO, you should do that. Once again today we see where that is not true with another bill on the floor that is about spending more money. One hundred percent deficit spending in this bill.

Today I am also going to discuss other issues. And it's really about the bill. This bill is too costly. It raises serious questions about the Department of Energy's ability to effectively implement this program. And it will allow the Federal Government to pick winners and losers in the private sector while all of these companies are trying to take care of making us more efficient, but then picking the winners and losers.

H.R. 5019 would authorize \$6.6 billion for what I am going to call a cash for caulkers program, \$6.6 billion of new deficit spending. This bill would provide tax rebates to participating contractors and vendors who would perform qualifying energy-saving measures that meet efficiency and insulation targets in Federal standards. That's a whole lot of words for a program that in essence is too expensive, unnecessary, and I believe a waste of taxpayer dollars, especially at a time when growing deficits are causing this country to have failing markets and confidence in this government.

Republicans strongly support legislation that promotes effective energy efficiency. But 150,000 jobs, as are being talked about, for \$6.6 billion on the back of the American taxpayer is not a good deal. It's not a fair trade. And to that point, the Democrats on the Rules Committee all voted against allowing my colleague Mr. LATTA, the gentleman from Ohio, from even offering his amendment on the House floor today, which would have suspended the provisions of this bill if it added to the Federal deficit. This majority doesn't even want to have a conversation about controlling spending. And that's why they will continue to shut out Republican Members as they come to the Rules Committee with wise, prudent, and conservative ideas.

This 2-year program will be administered through the Department of Energy, which has already proven to be a terrible manager of the \$4.7 billion from the economic stimulus weatherization program in which only 30,297 homes have been weatherized, about 5 percent of the stated overall goal of more than 600,000. These are all, I am sure, great ideas and lofty goals, but it's taxpayer spending, taxpayer money, and more deficit spending.

The Home Star Energy Retrofit Program will undoubtedly experience the

same administrative problems, implementation problems, and oversight problem for the Department of Energy. What a shame we just didn't give it directly to consumers rather than creating a program that then must be administered following Federal standards, Federal rules, and more and more and more participation from Washington, D.C. Allowing the Federal Government to get bigger and bloated and to control this process is not an efficient way to run this government or spend the American people's tax dollars.

Additionally, this legislation is not technology-neutral. It is not the role, I believe, of the Federal Government to pick winners and losers in the private sector, yet that's exactly what this bill does. This legislation lists 13 energy-saving measures that qualify for rebates of varying dollar amounts. That's right, we are going to tell people exactly how to do this and what qualifies.

There are many energy products that were left off the list or that will not qualify because of what are considered technical requirements. These are so numerous that we simply cannot effectively have a good program. It should be about effectiveness, saving energy, and allowing a consumer to be engaged in making these decisions so that we assure that the real cost and the delivery of that product was known and understood by the consumer, not just ordering something that came from the Federal Government, having somebody show up at your door, and then being reimbursed by the Federal Government, with the consumer being left out in the cold rather than a demand about what they were after and knowing what their needs are.

Over a year ago, Speaker PELOSI and the President promised that unemployment would not reach 8 percent or above. Since that time, 4 million Americans have lost their job. And that was a promise. We have now reached a 10.2 percent record unemployment rate, and continue to hover well over that promised 8 percent figure.

Madam Speaker, I believe the American people understand what this change has meant. It has meant a bigger Federal Government, record spending, and incredibly high deficits for as far as the eye can see and over the horizon. This is another example of the kind of political agenda that adds to that of the Speaker and the President that will, if all implemented, net lose over 10 million American jobs. Losing 10 million American jobs from a political agenda is a problem to the Republican Party.

We believe that the ability to make progress and work here in Congress for the best effort of the American people in the creation of jobs, not net loss of 10 million jobs, should be what this Congress should be focused on. You see, Madam Speaker, we think that America should be the employer nation. We believe that America has always led

the way, the leader in the world to making sure we are competitive, and to make sure that we have a smaller, more efficient Federal Government, with unlimited opportunity for freedom for citizens back home. This bill effectively takes the citizenry, the consumer, out of the equation and puts the Federal Government central not only in people's lives, but central in paying the bill.

We should work with the investor and the free enterprise system. That is what has made us the global leader for our grandparents, our parents, and this current generation. We only have unemployment and this horrible high debt because of the political considerations of the Democratic Party and their agenda. And the Republican Party is on record again today as saying enough is enough.

The national debt continues to grow rapidly towards \$13 trillion, yet our Democrat majority friends are spending billions of more dollars again today on an excessive program that sets burdensome technical requirements, picks private sector winners and losers, and hands the reins over to the Department of Energy to dole out the funds as it sees fit. Shutting our responsibility, not allowing the amendments in the Rules Committee for commonsense legislation, rolling 15 Democrat amendments into the manager's amendment, and a \$6.6 billion cost that will come directly from deficit spending, which means we have to go borrow and once again go to the world or the Chinese or others to say "please help us" is a bad way to run this business.

Madam Speaker, it is obvious to me that the political agenda is more that the Democrats want than the commonsense attributes of saying, enough is enough, let's know what we're doing.

So I am going to urge a "no" vote. I am going to urge a "no" vote on the rule and a "no" vote on the underlying legislation.

I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, before I yield to my next speaker I just want to say the bill before us today is a strict authorization bill. There is no direct spending contained in it. CBO has said it will not add to the deficit because any money which is spent under the Home Star Program will have to be appropriated through separate legislation. This is regular order in the purest sense of the term: authorize first, appropriate later.

Madam Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. SUTTON), a member of the Energy and Commerce Committee.

Ms. SUTTON. Madam Speaker, I thank Representative MATSUI for yielding the time and for her leadership.

I rise today in strong support of the underlying bill, H.R. 5019, the Home Star Energy Retrofit Act, and I want to congratulate and thank Representative PETER WELCH for his leadership in bringing us to this place.

This is a timely, smart, commonsense bill that will achieve multiple

goals. Home Star will help our workers, help our economy, and our environment. Make no mistake, Madam Speaker, this is a jobs bill. And jobs are the highest of high priorities. It's estimated that the Home Star Program will create 168,000 good-paying construction, manufacturing, and retail jobs. And these are jobs that cannot be shipped overseas.

Home Star will help kick-start the construction industry, which has been one of the hardest hit industries during this economic recession. Today more than one in four construction workers remain unemployed. And today those in this Chamber have the chance to vote to change that. Home Star will also stimulate domestic manufacturing and grow jobs, which will strengthen our economy and strengthen our Nation.

There are sustainable building solution companies in my district and across this country that are ready and waiting for the Home Star initiative, employers who are ready to ramp up production, ready to put people back to work. And the positive ripple effects will be felt throughout the retail and distribution sectors.

Home Star will also help millions of families lower energy bills. Improving energy efficiency is one of the easiest, most cost-effective ways for homeowners to reduce energy waste. And Home Star will improve our environment, reduce our dependence on foreign oil, and enhance our national security. Energy efficiency improvements will create jobs and reduce greenhouse gas emissions.

Household energy accounts for more than one-fifth of U.S. carbon emissions. And as we proved with the bipartisan, let me stress bipartisan and successful Cash for Clunkers program, it doesn't have to be jobs or the environment. It can be jobs and the environment. Home Star enjoys broad national support from business leaders, environmental and energy efficiency groups, labor unions, manufacturers, retailers, and construction contractors.

For these reasons I urge a "yes" vote on the rule and the underlying bill because this is a jobs bill, and we need to make jobs the highest priority.

Mr. SESSIONS. Madam Speaker, jobs are the issue, and so is debt. And taking debt of \$6.5 billion to add to this deficit that we have got to pay for should be a priority. Spending five or six generations' worth of money in a year-and-a-half is not a good way to pass on a better America.

Madam Speaker, at this time I would like to yield 3 minutes to the gentleman from Bowling Green, Ohio (Mr. LATTA).

□ 1045

Mr. LATTA. I thank the gentleman for yielding.

Madam Speaker, I rise today to speak against the rule for H.R. 5019. I offered an amendment in full committee markup which would have prevented enactment of H.R. 5019 if there

was an impact on deficit neutrality. I withdrew that amendment in committee due to an exchange I had with the chairman, Mr. WAXMAN, where he told me we would continue to work on this amendment so we could pay for this bill before we brought it to the House floor. I do thank the chairman for meeting with me.

There has been no pay-for secured, unfortunately, and therefore I offered a similar amendment in the Rules Committee. The amendment was not accepted in the Rules Committee, and therefore we are not able to have open debate on the issue today on the House floor. It is frustrating that the majority has shut down the opportunity to have a debate on the cost of the legislation and the addition it would be to the Federal deficit.

Very simply, my amendment stated that the provision of this act, including the amendments made by the act, shall be suspended and shall not apply if there is a negative net effect on the national budget deficit of the United States. While this is an authorizing bill, I am concerned that the majority could not give any assurance that this bill will indeed be paid for. I'm very concerned about the \$6.6 billion price tag of this legislation. At a time when there is a national deficit crisis, it is not appropriate to add \$6.6 billion in spending to the deficit. As a Congress, we absolutely must stop this excessive spending.

President Obama submitted his administration's fiscal year 2010 budget proposal with a record-breaking cost of \$3.8 trillion. This budget proposal includes a \$2 trillion tax increase over the next 10 years and projected record deficits. This proposal will double our Nation's debt in 5 years and triple it in 10 years from the levels from fiscal year 2008. CBO has stated that under current spending levels, by 2020, American taxpayers will be paying \$2 billion per day in interest on the national debt. It also estimates that the debt will be \$20 trillion by that year. Our Nation's economic future requires that this Congress and the administration exercise serious fiscal restraint.

Also, we know there will be devastating effects on the economy due to the recently passed health care bill. The recent CMS analysis concluded that national health care expenditures will actually increase by \$311 billion. This analysis also shows the recently passed health care bill increased health care costs to 21 percent of GDP by 2019. Finally, CBO released figures showing that the "doc fix" will cost \$275.8 billion through 2020, and that is if rates are frozen at current levels. This is a 33 percent increase from the initial figure of \$207 billion.

I'm against this rule and disappointed my amendment was not approved by the Rules Committee for consideration today on the floor.

Mr. DREIER. Madam Speaker, would the gentleman yield?

Mr. LATTA. I yield.

Mr. DREIER. I thank my friend for yielding.

Madam Speaker, I'd like to congratulate my friend from Ohio for his very thoughtful remarks and pursuing as diligently as he did the effort to try and make in order his amendment which would have ensured that this \$6.6 billion, as Mr. SESSIONS has pointed out, is, in fact, paid for. Time and time again, we hear from our friends on the other side of the aisle that the sine qua non is to ensure that everything is paid for.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SESSIONS. Madam Speaker, I yield 3 additional minutes to the gentleman from Ohio.

Mr. DREIER. Will the gentleman yield?

Mr. LATTA. I yield to the gentleman from California.

Mr. DREIER. Madam Speaker, I thank my friend for yielding.

Let me just say that we continually hear that the penultimate, the highest priority is to ensure that everything that we have before us is paid for. Now, to his credit, the chairman of the Energy and Commerce Committee, Mr. WAXMAN, proceeded to engage, as Mr. LATTA has just said, in the goal of trying to come to some kind of agreement.

Now, the thing that I found very troubling—and, again, the American people, for the first time in a long period of time, are focusing on process. And what took place in the Rules Committee last night is, once again, an indication of the arrogance that we continue to see from the leadership of the Rules Committee and of the Democratic majority here in the House.

Let me say that Mr. WAXMAN, again, to his credit, came before the Rules Committee and said the following. Referring to Mr. LATTA, he said, He has submitted to you an amendment that he wishes to offer—these, again, are Mr. WAXMAN's words—and I would like to express to the Rules Committee that I support his right to offer that amendment. I'm sorry we weren't able to work it out to put it into the manager's amendment, but I just wanted to express that opinion to you.

Mr. WAXMAN was making a request of the Rules Committee. Now, I understand that a committee chairman does not in any way dictate the action of the Rules Committee, but clearly, since the chairman of the authorizing committee indicated that he wanted to have Mr. LATTA's amendment made in order, I found it very troubling when I asked the distinguished chairwoman of the Rules Committee whether or not we would see the Latta amendment, they chose not to make it in order, and I asked why not. I brought up Mr. WAXMAN's words about his interest, his desire to see us consider the Latta amendment here on the House floor, and she responded to me by simply saying that Mr. WAXMAN simply wanted Mr. LATTA to have the right to testify before the Rules Committee on behalf

of this. Well, Madam Speaker, every Member of this House knows that every single Member who chooses to come before the Rules Committee to make their case on an amendment has the right to do that.

And so, again, the arrogance, the arrogance, to deny a Member who simply wants to take on the issue of fiscal responsibility and say, when we've got a \$6.6 billion package before us, after we've only expended \$368 million of the \$4.7 billion that was included in the stimulus bill for weatherization, we're going into this entire new program, and Mr. LATTA is saying, At least if we're going to do this, let's pay for it.

Very sadly, Madam Speaker, we have gotten to a point where the negotiations between Chairman WAXMAN and Mr. LATTA broke down and Mr. WAXMAN at least said, Let's have a vote on the House floor about this on this amendment. Again, the arrogance of the committee led the committee to conclude that, in fact, it could not be considered. And it's just plain wrong.

I thank my friend for yielding.

Ms. MATSUI. Madam Speaker, I just want to comment. It's not just the Democrats on the Rules Committee that said that the Latta amendment is unnecessary. The Congressional Budget Office has said so as well. Allow me to read directly from the CBO letter on the Home Star bill: Enacting the bill will not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply. Instead, any actual funding for programs in the bill would have to be appropriated separately by Congress. The amendment essentially is attempting to offset funds that are not spent.

With that, Madam Speaker, I would like to yield 3 minutes to the principal sponsor of the bill, a member of the Committee on Energy and Commerce, the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlelady from California. I appreciate her leadership in the committee and also in the Rules Committee. I want to thank Chairman MARKEY and Chairman WAXMAN for their leadership.

Let me talk a little bit about why Home Star makes sense. This is a partnership. Government is putting up some money but homeowners are going to make decisions about refitting their homes and insulating them. Businesses are going to make decisions about taking on those jobs. Our local retail outlets are going to sell the product. Ninety percent of the product they sell is manufactured in America. So it's creating jobs here.

It does the three things that need to be done. It helps us with economic recovery, putting 170,000 folks to work; helps homeowners save money; and it helps us move towards energy independence. A confident nation doesn't shrink from the challenges it faces; it attacks them directly. Energy independence, job creation, cleaning our air, those are all very important.

This is bipartisan, too. I want to acknowledge the extraordinary work that was done by VERN EHLERS in cosponsoring this legislation. I want to thank former Governor of Michigan John Engler, who was an outstanding advocate for this program. I also want to thank Mr. BARTON and the members of the Energy and Commerce Committee, who made a good bill better by their contributions. Mr. BARTON insisted that we engage in this bill. He made positive suggestions that we included. Mr. SHADEGG suggested we add electric tankless hot water heaters. A good suggestion. We included it. Mr. SHIMKUS suggested geothermal heat pumps. We included it. Mr. BUYER included an important study to verify that this works. We did it. Mr. WHITFIELD and Mr. MURPHY both supported this in committee. And I want to say that I appreciate the constructive engagement by my colleagues on the other side of the aisle.

There's been a concern expressed—and a valid concern—about spending. There's wise spending and there's wasteful spending. If we have a family that's on a tight budget and they blow what money they have to go on a vacation they can't afford, that's wasteful. But if that family foregoes the vacation and puts that money into renovating and insulating their home so that they can save some cash, not just this year but next year and the year after, that's wise spending.

This bill will be paid for. This is authorization only. The next step will require that we have a pay-for. The pledge is and the requirement on us will be to make certain that happens. So this will be paid for, but this is in the category, very much, of wise investment and solid investment.

I urge support for Home Star because it is a concrete step that's simple partnership between the government, with a light hand providing an incentive, a point-of-sale rebate that is going to give the upfront money to our homeowners that aren't buying new homes but want to save money by refitting and insulating the homes they have. It puts the local contractors to work. It's our local hardware stores that will make the sales.

Mr. SESSIONS. Madam Speaker, I yield 2½ minutes to the ranking member on the Energy and Commerce Committee, the gentleman from Ennis, Texas (Mr. BARTON).

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I thank my friend from Dallas.

It embarrasses me when my colleague from Vermont says nice things about me, since I'm opposing this bill. I will say before I list some of my concerns that there was a lot of input asked for and received by Republicans both in the committee and outside of the committee.

This is not a terribly bad bill, but it has one fatal flaw: It is not paid for. It,

in my opinion, authorizes and, if the authorization is actually appropriated, spends more money than we need to be spending in an era of \$1.5 trillion per year budget deficits.

Mr. LATTA of Ohio did offer a pay-for amendment at committee. It simply said that this bill must not increase the deficit. There was some discussion. Mr. LATTA was asked to withdraw. The chairman, Mr. WAXMAN, said he would work with Mr. LATTA. There were kind of desultory conversations at the staff level, until yesterday, after a markup of another bill, which at that time Chairman WAXMAN did sit down with Congressman LATTA and myself. There were fairly serious discussions yesterday afternoon. Those discussions were not satisfactory to either side.

The end result was that Mr. LATTA went to the Rules Committee and offered his original amendment that he had withdrawn in committee. In its infinite wisdom, the Rules Committee chose not to make the most important amendment requested, in my opinion, in order. They made an amendment in order by myself, which is an okay amendment. So I thank Congresswoman MATSUI and the other Democrats on the Rules Committee for accepting that amendment.

But the crux of it, in an era with \$1.5 trillion annual deficits, any new program, no matter how good, we should pay for it. If it's an authorization bill, we should put in the authorization bill that it should be paid for, that it will be paid for.

Now, the circuitous argument was: since this is an authorization bill, doesn't cost anything, you don't need a pay-for. Well, why not set the precedent? Let's make it a point as this Congress, if we really are concerned about the deficit, let's say, if we start a new program, we'll pay for it, and tell the Appropriations Committee and the Budget Committee we want this paid for. Now, Republicans want to pay for it by reducing wasteful spending.

I ask for a "no" vote on the rule.

Ms. MATSUI. Madam Speaker, I yield 3 minutes to a member of the Rules Committee, the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. Thank you to my colleague, Representative MATSUI, for yielding the time, and to my colleague, PETER WELCH, for doing such a great job on this bill.

I want to talk a little bit about how this affects my home State of Maine.

Madam Speaker, with long, cold winters, some of the oldest housing stock in the country, and the highest reliance on oil heat in the country, paying heating bills can be a real struggle for many families in my State of Maine. Recently, I heard from a family with three kids who live in a 100-year-old home. From the street, their house looks like every other house in the neighborhood. In fact, it not only looks like every other house in the neighborhood, it pretty much is just like every other house in the neighborhood: old, leaky, and hard to heat.

□ 1100

By mid-December of last year, they had already gone through two tanks of oil to heat their 1,200-square-foot home, and they were wearing wool hats on the inside. Facing high heating costs and a new mortgage, they are forced to make tough decisions about improvements.

But energy-efficiency improvements can make a world of difference. Another Maine family told me that by removing inefficient fiberglass insulation and replacing it with cellulose insulation, they turned a drafty 200-year-old house into a snug and comfortable home.

Weatherizing homes isn't just good for the homeowners; it's good for the economy. For example, a company called WarmTECH in Yarmouth, Maine, is a strong supporter of this bill. According to the owners, with the creation of the Home Star program, they expect to increase their staff by at least 30 percent and purchase additional equipment.

Thankfully, my State is taking the lead on helping families save money by making their homes energy efficient. Maine has undertaken an aggressive campaign to weatherize every home in the State and half of all businesses by 2030. With the help of the Recovery Act funding, which I was proud to support, my State has created a program to provide rebates of up to \$3,000 for energy efficiency improvements, and it is in the process of setting up a revolving loan fund that will make it easier to finance those improvements and pay them off more quickly.

Improving our Nation's energy efficiency benefits our economy, our national security, and our environment; but much remains to be done, and this bill, the Home Star Energy Retrofit Act of 2010, is one more step in the right direction. By creating rebates and incentives that will make it more affordable to weatherize your home, this proposal will help families start saving money on their heating bills right away and at the same time will create good-paying jobs that can't be exported.

When people are able to invest in making their homes more energy efficient, that creates good business for contractors, energy auditors, and building supply stores. It stimulates the local economy, saves families money, and reduces our dependence on oil. This bill will allow 3 million families to save over \$9 billion on their energy bills over the next decade and create 168,000 of those good-paying jobs right here at home.

Madam Speaker, sometimes I think the word "investment" gets a little overused around here; but the Home Star program is, in the truest sense of the word, an investment, and it is an investment that will begin paying dividends immediately by creating jobs, saving working families money, and reducing our dependence on foreign oil.

I urge my colleagues to support the rule and the underlying bill.

Mr. SESSIONS. Madam Speaker, at this time, I would like to yield 2½ minutes to the gentleman from Auburn, Washington (Mr. REICHERT).

Mr. REICHERT. I thank the gentleman for yielding.

I'm glad there is some bipartisanship here. I think the American people really want us to work together. I mean, that's the bottom line here: we all want to create jobs, we all want to be more energy efficient, and especially in this economy, I think people want to lower their energy costs so they have more money in their pockets.

I think our focus, therefore, is in the right place, but I think there is a more effective way to achieve these goals rather than a rebate check that's before us today. That's why the House should instead take up a bipartisan package of tax incentives that I authored. Again, this is a bipartisan effort by RON KIND, GEOFF DAVIS, EARL BLUMENAUER, CHRIS LEE, and TOM PERRIELLO.

This bill, H.R. 4226, Expanding Building Efficiency Incentives Act, is a more effective approach for several reasons. It puts incentives directly in the hands of the consumers through the Tax Code. It gives the people more choices to meet their needs. It's easier to administer. Tax incentives avoid the expensive and complicated "middle man" structure used to give rebate checks.

When I was the sheriff, we applied for grants. And I know that some of the grants were from the Federal Government; they passed through the State government. And as they passed through the State government, they cost an additional 20 percent in administrative fees, therefore reducing the amount of money that actually ended up in the hands of the sheriff's office or police chiefs across the country.

I think the administrative costs in this bill we're about to vote on today remove some of the incentives for homeowners. It includes commercial property and new construction as well as home retrofits. Forty percent of the energy used in our country is in buildings like office towers, warehouses, and shopping malls. If we were really committed to creating jobs and saving money through energy retrofits, let's tackle the problem head on, not just a piece of the problem.

Madam Speaker, I am a little disappointed—well, quite disappointed—that the Rules Committee didn't make in order our amendment to consider this bipartisan tax bill, and I ask my colleagues to provide the House with an opportunity to do so.

Ms. MATSUI. Madam Speaker, I just want to reiterate this again: what my colleagues on the other side of the aisle fail to recognize or refuse to admit is that the Home Star Energy Retrofit Act is an authorizing measure; it does not include any appropriated funds. Moreover, there are no earmarks included in this legislation. The Congressional Budget Office has said that enacting the bill would not affect direct

spending or revenues, therefore, PAYGO procedures would not apply.

This process is not anything new, and the Republicans routinely approved proposals that authorized programs when they controlled this Chamber and the administration.

Madam Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. BEAN).

Ms. BEAN. I thank the gentlewoman for yielding.

Madam Speaker, I rise in strong support of the manager's amendment and the Home Star Energy Retrofit Act of 2010. I want to commend Chairman WAXMAN and particularly Congressman PETER WELCH for their leadership, making energy efficiency more affordable for American families in my Eighth District in Illinois and across the Nation.

Welcome signs of economic recovery and competitiveness in the global economy are directly related to the opportunities emerging as businesses become cleaner and leaner. The same philosophy holds true for American households. Investments in better building materials and technologies can pay for themselves in the form of energy savings, and then some. At the same time, Home Star is a jobs measure. It will provide timely and targeted employment to the skilled trades industry which is still reeling from the housing bust and economic recession.

Two amendments I authored, included in the manager's amendment, will enhance the job creation potential of Home Star. States will be directed to engage with community colleges to implement the retrofit program. These community colleges are excellent resources for worker education, training, and certification; and they collaborate with area employers to provide dynamic and affordable educational resources to meet workforce needs. The role of community colleges in our clean energy economy will only continue to grow in significance.

I also authored a provision with our colleague, Mr. DRIEHAUS, to expand rebate eligibility to replacement storm windows and doors, which will particularly help historic homes. To improve energy efficiency and maintain the historic integrity of a house, a homeowner may prefer to install storm windows and doors. This amendment will provide families more options to retrofit their homes in a manner that best fits their needs.

H.R. 5019 is a well-crafted measure that will create jobs and boost domestic manufacturing, while saving families money and reducing energy consumption.

I urge my colleagues to support the manager's amendment and this important underlying bill.

Mr. SESSIONS. Madam Speaker, at this time I yield 3 minutes to the gentleman from Clarence, New York, (Mr. LEE.)

Mr. LEE of New York. I appreciate the opportunity to speak out on the

rule on the "Cash for Caulkers" legislation before us today because I believe this is the wrong approach. It's another government boondoggle costing taxpayers over \$6.5 billion. Even more frustrating is the fact that last year's so-called "stimulus," we haven't used up the billions of dollars that were allocated for the energy-efficiency programs. So, again, let's just keep spending money that we do not have in this country.

Americans can agree on one issue, that is, that we are facing an energy crisis that demands our attention, and that part of the solution means improving the efficiency of our energy intake. Today, we have an important choice on how we get this done.

Energy-efficiency improvements are best achieved through the use of voluntary, market-based programs through tax incentives which are provided directly to the consumer. I've had the pleasure to work with Representatives from both sides of the aisle on introducing H.R. 4226, a comprehensive, bipartisan package of energy efficiency incentives that will reduce energy costs, save energy, and create long-term energy jobs. For this reason, my colleagues and I offered an amendment in the nature of a substitute to provide a choice in how we move forward.

While the underlying bill and the substitute amendment both seek to make it easier to retrofit an existing home to achieve energy savings, only one of these bills will allow families and businesses to plan for future retrofit expenses and to make more effective home improvements.

The alternative legislation my colleagues and I supported is more effective in creating jobs and saving energy costs. It includes a predefined 5-year extension of proven successful tax incentives, not another government handout. Our alternative will make it more affordable for homeowners to retrofit their existing homes.

Furthermore, H.R. 4226 includes commercial retrofits, something the underlying bill does not provide. Commercial buildings are in as much need, if not greater need, than many residential buildings. H.R. 4226 would allow small businesses to save more, which would allow them to invest in themselves and create jobs, something that cannot be said about the bill before us today.

H.R. 4226 is an important step towards energy conservation, and it does so in a responsible and meaningful way. Contrast that with the underlying bill before us today, which amounts to a rushed cash handout to the tune of \$6.6 billion that just forces burdensome mandates on taxpayers already struggling to make ends meet.

Unfortunately, today's rule does not allow my colleagues the opportunity to vote on this approach. I encourage all of you to reject this rule and the underlying bill and to support H.R. 4226, which will increase energy efficiency in

both domestic and commercial structures in a much more effective, fiscally responsible, market-based approach.

Ms. MATSUI. Madam Speaker, I just want to say before I yield to my next speaker that this bill has been strongly endorsed by a broad range of business, labor, environmental and consumer groups. In fact, the U.S. Chamber of Commerce, the National Association of Manufacturers, and the National Association of Home Builders have formally endorsed this bill. The National Lumber and Building Material Dealers Association, on behalf of its 6,000-member companies nationwide, also recently endorsed this bill. This bill is a perfect example of industry, consumer, labor, and environmental groups all working together to move our Nation toward a more energy-efficient economy.

Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. I want to thank the gentlelady for yielding and for your leadership in making sure this very good bill moved to the floor. I support the rule, and I want to thank Chairman WAXMAN, Representative WELCH, Representative MARKEY, and the committee staff for all of their very hard work in getting this bill to us today.

This bill is about more than home improvements. It's about reducing energy demand by expanding the use of cost-effective, energy-efficient technologies, for which my district and the State of California have long been a leader. This bill is about healthier homes and healthier communities, and it's critically important that we recognize that this bill is about the creation of good-paying, high-quality green jobs.

I am pleased that this legislation will incentivize targeted job training and financial assistance to low-income communities and the chronically unemployed, as well as the recruitment of small, women-owned and minority-owned businesses.

I commend my colleagues in the Congressional Black Caucus and our staff, especially Congressman RUSH, who helped to champion the cause for these vital provisions.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MATSUI. I yield the gentlewoman 1 additional minute.

Ms. LEE of California. Thank you very much.

Let me just acknowledge the role of the Congressional Black Caucus in this and thank our leadership for working with us to make sure that these provisions were included because these provisions will ensure that we serve and that we empower and include those hardest hit by the economic recession and that no one is left behind in this bill, and will really look at how to achieve and rectify historical, environmental injustices. With that in mind, I strongly urge my colleagues to support the rule and this legislation.

Mr. SESSIONS. Madam Speaker, I would like to inquire, if I can, upon the time remaining on both sides.

The SPEAKER pro tempore. The gentleman from Texas has 4¼ minutes remaining, and the gentlelady from California has 9½ minutes remaining.

Mr. SESSIONS. Madam Speaker, I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

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Mrs. MCCARTHY of New York. Madam Speaker, I want to thank certainly my colleague from California for allowing me to go forward with this, and also say thank you to Chairman WAXMAN and Mr. WELCH for all of the work that they have done on the committee.

H.R. 5019 would make important advancements toward the twin goals of improving our country's energy efficiency and adding jobs to our economy. The energy efficiency measures that are covered under this bill will help to bring down energy costs for our families, reduce overall energy consumption, and reduce our Nation's dependence on foreign energy sources.

Another important effect of this bill, however, that is not addressed as much is the impact of the bill on the quality of life for our constituents. One quality of life issue that this bill will address is the issue of noise reduction. The technology used to make our homes energy efficient can also be used to reduce noise levels.

The amendment I have submitted would require the Secretary of Energy to study what effects the energy efficiency measures installed under this bill have on noise reduction.

My district is located in Nassau County, Long Island, New York, a densely populated area adjacent to John F. Kennedy Airport and several train lines. Due to the close proximity to JFK, many communities in my district are severely affected by noise from airplanes landing and taking off at JFK. Airplane noise can be heard at all hours of the day and night. We have also a lot of noise coming from the trains that run through my district, also at all times.

In this densely populated area of the country, railroad tracks are often close to homes, schools and businesses. This issue affects thousands of my constituents on a daily basis. Noise significantly affects our quality of life. Airplane noise can also have dangerous effects on the health of otherwise healthy individuals. Extended exposure to loud noise levels not only affects the hearing of adults and children, but has also been linked to an increase in blood pressure. And the noise prevents individuals from getting restful nights of sleep.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. MATSUI. I yield the gentlelady 1 additional minute.

Mrs. MCCARTHY of New York. Airplane noise has also been found to have an effect on children's education. Children who are exposed to prolonged periods of airplane noise learn to read at a slower pace than those not exposed to the noise. Noise significantly affects individuals with certain health conditions even more and we need to be very sensitive to the needs of them in future policies we pursue.

I am drafting legislation that would provide a tax credit to people who want to soundproof rooms in their homes or schools due to plane noise. Many of the items that individuals use to soundproof their homes—insulation and better doors and windows—are the same types of investments that this bill provides for. Therefore, the study I have included in this bill will help inform us about the best ways to move ahead with noise abatement activities and also see where we can double our value by achieving energy efficiency and decreased energy costs for consumers.

By taking action on this bill and the legislation I am drafting, we will do a lot to improve the quality of life for all our constituents. Once again I thank the committee, and I encourage everyone to vote for the rule.

Mr. SESSIONS. Madam Speaker, I will continue to reserve my time.

Ms. MATSUI. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. Madam Speaker, 30 years ago President Carter declared the moral equivalent of war on foreign oil. We have done two things in those 30 years: we have slashed Federal investments in research and development for energy efficiency and renewables by 85 percent; and we have doubled our imports of oil.

In the past 2 years, we have corrected our top down investments. We are investing more in energy efficiency, but we have missed the most critical three words in the debate: return on investment. We need to find ways to make it easier for people to purchase energy efficient windows, to retrofit their homes, and that is exactly what this bill does. It gives consumers rebates of up to \$3,000, it lowers utility bills, and it creates jobs. It creates jobs by allowing people to go to their stores to buy their windows and equipment. That means somebody is going to need to manufacture that equipment and install that equipment. This is a way of creating jobs and enhancing our energy security. It is a way of reducing our dependence on foreign oil. This is a critically important bill from a national security perspective and an economic security perspective. I support it wholeheartedly.

Mr. SESSIONS. Madam Speaker, I yield myself the balance of my time.

The facts of the case are out on the table today. The Federal Government is going to run this program. It will determine the winners and losers. It will decide which of the technologies will be reimbursed. It will decide how this

program is going to work. We in essence take the consumer out of the equation. The taxpayer of this country, as the bill is written, will have \$6.6 billion in new deficit and debt that will be on the future of this country, our children and our grandchildren. We will continue to have less ability to effectively have jobs in this country as a result of the continuing debt.

We have heard this story before. We heard about how great the stimulus was. Well, the stimulus, which was called a jobs bill, was about anything but jobs. It was about big government and diminishing the size of the free enterprise system.

The health care bill, oh, it's all about jobs. And we found out just days after that was passed, whoops, you better add another \$600 billion to what the real cost will be because it was not included, despite the debate and all of the time on the floor. The health care bill was as much about health care as the stimulus was about jobs.

Here we are adding another promise from the Democrat majority: this is about jobs. But what this party fails to talk about is, okay, 150,000 jobs for \$6.5 billion worth of spending, new debt not paid for, not adequately enumerating the things that will really happen in the marketplace. We have already talked about the promises that were made during the stimulus, and of that only 5 percent has materialized out of the Department of Energy. The reason why is because people don't have money. People do not have money because they do not have jobs. We do not have jobs in this country because of the Democratic majority who has made a decision that their political agenda to diminish the size of the free enterprise system is just fine for them.

The three largest political agenda items of this Democratic Party, the Speaker and the President, net lose 10 million American jobs. That's why people do not end up having jobs and why people will not be able to buy into this plan either. Because people are unemployed. They are hurting. They are concerned about how they are going to take care of themselves. Quite honestly, Madam Speaker, this country is afraid. They are afraid of the massive debt, and we are going to pile on another \$6.5 billion today.

We talked about how and when the Democrats took control of this Congress, they promised little job loss, lower deficits, and we have only seen the opposite. Additionally, little to no progress has been made to providing real solutions to the high unemployment rate; 150,000 jobs won't cut it. We are getting ready to lose 300,000 more teachers' jobs because communities can't afford to have the teachers. They can't pay for them. And we are here today to vote on another \$6.6 billion, a spending spree for the Federal Government to manage and pick the winners and losers in the energy saving sector. It is bad policy.

Where are the jobs? Where is the ability of people to make decisions? Nope,

we are going to let the Federal Government decide this.

Madam Speaker, Congress, the Democratic Party, believes we can just spend our way out of this economic crisis. We need reforms. We need to work together. We need America to be an employer nation again. Ah, the old days with Republicans, all that debt they caused, not a drop in the bucket compared to what this 4 years of Democrat control has done.

I once again stand up for my party and say no, we are not going to participate in this. We K-N-O-W exactly what this Democrat majority is all about. One-party rule is bad for this country. Not accepting amendments from the other party is not good for the country. I encourage a "no" vote on the rule and the underlying legislation.

Ms. MATSUI. Madam Speaker, it is important that we not rewrite history today. The previous administration had the worst fiscal record in American history. When President Bush was inaugurated in 2001, he inherited from President Clinton a budget surplus projected to be \$5.6 trillion over the next 10 years. But over his two terms, through fiscally reckless policies, President Bush squandered that surplus and gave the country 8 years of deficits instead.

We have had to take evasive action to stave off a long-term economic disaster, and no one on my side of the aisle will apologize for boldly confronting one of the worst fiscal and economic crises in our country's history.

Madam Speaker, creating jobs is our top priority, to put more Americans back to work and truly turn our economy around. There is no doubt that the Home Star program will boost our domestic energy efficiency industry and further move our country toward a clean energy economy. By increasing energy efficiency, we will not only incentivize the emerging clean technology industry, but also reduce carbon pollution and cut costs for consumers.

The legislation before us will create nearly 170,000 new green jobs in this country. This bill will create three separate energy efficiency rebate programs to encourage home energy efficiency, cut down on the use of fossil fuels, reduce greenhouse gas emissions, and increase energy security and independence.

As a result, the bill would have a meaningful, long-term impact on energy savings. Together with the ongoing investment by the Recovery Act, the Home Star program will substantially invest in our clean energy economy and spur job creation and economic growth in this country. This Congress must continue to invest wisely in proposals that will train our workers, create new good-paying jobs, grow our economy and rebuild the middle class. This legislation does just that.

This bill has been strongly endorsed by a broad range of business, labor, en-

vironmental and consumer groups. In fact, the U.S. Chamber of Commerce, the National Association of Manufacturers, and the National Association of Home Builders have formally endorsed this bill. It is a perfect example of industry, consumer, labor, and environmental groups all working together to move our Nation toward a more energy-efficient economy. Madam Speaker, this is an important bill that will create jobs and move our Nation towards a clean energy economy.

With that in mind, I urge a "yes" vote on the previous question and on the rule.

Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SESSIONS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on adoption of House Resolution 1329 will be followed by 5-minute votes on the motion to suspend the rules on H. Res. 1295; and the motion to suspend the rules on H.R. 1722.

The vote was taken by electronic device, and there were—yeas 229, nays 182, not voting 19, as follows:

[Roll No. 249]

YEAS—229

Ackerman	Davis (CA)	Holden
Adler (NJ)	Davis (IL)	Holt
Altmire	Davis (TN)	Honda
Andrews	DeFazio	Hoyer
Arcuri	Delahunt	Inslee
Baca	DeLauro	Israel
Baird	Deuth	Jackson (IL)
Baldwin	Dicks	Jackson Lee
Barrow	Dingell	(TX)
Bean	Doggett	Johnson, E. B.
Becerra	Doyle	Kagen
Berkley	Driehaus	Kanjorski
Berman	Edwards (MD)	Kaptur
Berry	Edwards (TX)	Kildee
Bishop (GA)	Ellison	Kilpatrick (MI)
Blumenauer	Ellsworth	Kilroy
Boccheri	Engel	Kind
Boren	Eshoo	Kirkpatrick (AZ)
Boucher	Etheridge	Kissell
Boyd	Farr	Klein (FL)
Brady (PA)	Fattah	Kosmas
Braley (IA)	Filner	Kucinich
Bright	Foster	Langevin
Brown, Corrine	Frank (MA)	Larsen (WA)
Butterfield	Fudge	Larson (CT)
Capps	Giffords	Lee (CA)
Capuano	Gonzalez	Levin
Cardoza	Gordon (TN)	Lewis (GA)
Carnahan	Grayson	Lipinski
Carney	Green, Al	Loebach
Carson (IN)	Green, Gene	Loftgren, Zoe
Castor (FL)	Grijalva	Lowe
Chandler	Gutierrez	Lujan
Chu	Hall (NY)	Lynch
Clarke	Halvorson	Maffei
Clay	Hare	Maloney
Cleaver	Harman	Markey (CO)
Clyburn	Hastings (FL)	Markey (MA)
Cohen	Heinrich	Marshall
Connolly (VA)	Herseth Sandlin	Matheson
Conyers	Higgins	Matsui
Cooper	Himes	McCarthy (NY)
Costello	Hinchey	McDermott
Crowley	Hinojosa	McGovern
Cuellar	Hirono	McIntyre
Cummings	Hodes	McMahon

McNerney
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Moore (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Nadler (NY)
Napolitano
Neal (MA)
Nye
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)

Quigley
Rahall
Rangel
Richardson
Rodriguez
Ross
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Sires
Skeltion
Slaughter
Smith (WA)
Snyder
Space

Speier
Spratt
Stark
Stupak
Sutton
Tanner
Teague
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—182

Aderholt
Akin
Alexander
Austria
Bachmann
Bachus
Bartlett
Barton (TX)
Biggart
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Blunt
Boehner
Bono Mack
Boozman
Boswell
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cantor
Cao
Capito
Carter
Cassidy
Castle
Chaffetz
Childers
Coble
Coffman (CO)
Cole
Conaway
Courtney
Crenshaw
Culberson
Davis (KY)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly (IN)
Dreier
Duncan
Ehlers
Emerson
Fallin
Flake
Fleming
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen

Gallegly
Garrett (NJ)
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves
Griffith
Guthrie
Hall (TX)
Harper
Hastings (WA)
Heller
Hensarling
Herger
Hill
Hunter
Inglis
Issa
Jenkins
Johnson (IL)
Johnson, Sam
Jones
Jordan (OH)
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Lamborn
Lance
Latham
LaTourette
Latta
Lee (NY)
Lewis (CA)
Linder
LoBiondo
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Ortiz
Owens
Payne
Perlmutter
Perriello
Peters
Peterson
Pingree (ME)
Polis (CO)
Pomeroy
Price (NC)

Murphy, Tim
Myrick
Neugebauer
Nunes
Olson
Paul
Paulsen
Pence
Petri
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Putnam
Radanovich
Rehberg
Reichert
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Scalise
Schauer
Schmidt
Sensenbrenner
Sessions
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souter
Stearns
Sullivan
Taylor
Terry
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Barrett (SC)
Blackburn
Bonner
Campbell
Costa
Dahlkemper
Davis (AL)

DeGette
Garamendi
Hoekstra
Johnson (GA)
Kennedy
Kratovil
McCollum

Melancon
Mollohan
Moore (WI)
Reyes
Schock

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1153

Messrs. POSEY, GARY G. MILLER of California and SCALISE changed their vote from “yea” to “nay.”

Mr. KILDEE changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. DAHLKEMPER. Madam Speaker, on rollcall No. 249, had I been present, I would have voted “yes.”

CELEBRATING MOTHERS AND MOTHER'S DAY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1295, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 1295.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 417, nays 0, not voting 13, as follows:

[Roll No. 250]

YEAS—417

Ackerman
Aderholt
Adler (NJ)
Akin
Alexander
Altmire
Andrews
Arcuri
Austria
Baca
Bachmann
Bachus
Baird
Baldwin
Barrow
Bartlett
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boccheri
Bono Mack
Boozman
Boren

Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Braley (IA)
Bright
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cantor
Cao
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz

Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.

Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Fallin
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
Foster
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gonzalez
Goodlatte
Gordon (TN)
Granger
Graves
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutierrez
Hall (NY)
Hall (TX)
Halvorson
Hare
Harman
Harper
Hastings (FL)
Hastings (WA)
Heinrich
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hoyer
Hunter
Inglis
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kilroy
Kind
King (IA)
King (NY)
Kingston

Kirk
Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
Kosmas
Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Lee (NY)
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maffei
Maloney
Manzullo
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCauley
McClintock
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Minnick
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Ortiz
Owens
Payne
Perlmutter
Perriello

Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock
Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skeltion
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Soudier
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiahrt
Tiberi
Tierney
Titus
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen

Velázquez Watson Wilson (SC)
Visclosky Watt Wittman
Walden Waxman Wolf
Walz Weiner Woolsey
Wamp Welch Wu
Wasserman Westmoreland Yarmuth
Schultz Whitfield Young (AK)
Waters Wilson (OH) Young (FL)

NOT VOTING—13

Barrett (SC) Davis (AL) McCollum
Blackburn DeGette Melancon
Boehner Gohmert Mollohan
Bonner Hoekstra
Campbell Kennedy

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1203

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TELEWORK IMPROVEMENTS ACT
OF 2010

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 1722, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 1722, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 268, nays 147, not voting 15, as follows:

[Roll No. 251]

YEAS—268

Ackerman Carson (IN) Ellison
Adler (NJ) Castor (FL) Ellsworth
Altmire Chaffetz Engel
Andrews Chandler Eshoo
Arcuri Childers Etheridge
Baca Chu Farr
Baird Clarke Filner
Baldwin Clay Fortenberry
Barrow Cleaver Foster
Bartlett Clyburn Frank (MA)
Bean Cohen Fudge
Becerra Connolly (VA) Garamendi
Berkley Conyers Giffords
Berman Cooper Gonzalez
Berry Costa Goodlatte
Bilbray Costello Gordon (TN)
Bilirakis Courtney Graves
Bishop (GA) Crowley Grayson
Bishop (NY) Cuellar Green, Al
Blumenauer Cummings Green, Gene
Boccheri Dahlkemper Grijalva
Boren Davis (CA) Gutierrez
Boswell Davis (IL) Hall (NY)
Boucher Davis (TN) Hall (TX)
Boyd DeFazio Halvorson
Brady (PA) Delahunt Hare
Braley (IA) DeLauro Harman
Bright Dent Hastings (FL)
Brown, Corrine Deutch Hastings (WA)
Buchanan Dicks Heinrich
Butterfield Dingell Herseth Sandlin
Cao Doggett Higgins
Capito Donnelly (IN) Hill
Capps Doyle Himes
Capuano Driehaus Hinchey
Cardoza Edwards (MD) Hinojosa
Carnahan Edwards (TX) Hirono
Carney Ehlers Hodes

Holden Holt
Holt Holt
Honda Hoyer
Hoyer Inslee
Inslee Israel
Israel Jackson (IL)
Jackson Lee Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kagen Kanjorski
Kaptur Kildee
Kildee Kilpatrick (MI)
Kilroy Kind
Kind Kirk
Kirk Kirkpatrick (AZ)
Kissell Klein (FL)
Klein (FL) Kosmas
Kosmas Kratovil
Kratovil Kucinich
Kucinich Langevin
Langevin Larsen (WA)
Larsen (CT) Latham
Latham LaTourette
LaTourette Lee (CA)
Lee (CA) Levin
Levin Lewis (GA)
Lewis (GA) Linder
Linder Lipinski
Lipinski Loeb sack
Loeb sack Lofgren, Zoe
Lofgren, Zoe Lowey
Lowey Lujan
Lujan Lynch
Lynch Maffei
Maffei Richardson
Richardson Rodriguez
Rodriguez Ross
Ross Rothman (NJ)
Rothman (NJ) Roybal-Allard
Roybal-Allard Ruppersberger
Ruppersberger Rush
Rush Ryan (OH)
Ryan (OH) Salazar
Salazar Sanchez, Linda
Sanchez, Linda T.
T. Sanchez, Loretta
Sanchez, Loretta Sarbanes

NAYS—147

Aderholt Franks (AZ)
Akin Frelinghuysen
Alexander Gallegly
Austria Garrett (NJ)
Bachmann Gerlach
Bachus Gingrey (GA)
Barton (TX) Gohmert
Biggert Granger
Bishop (UT) Griffith
Blunt Guthrie
Boehner Harper
Bono Mack Heller
Boozman Hensarling
Boustany Herger
Broun (GA) Hunter
Brown (SC) Inglis
Brown-Waite, Issa
Ginny Jenkins
Burgess Johnson (IL)
Burton (IN) Johnson, Sam
Buyer Jones
Calvert Jordan (OH)
Camp King (IA)
Cantor King (NY)
Carter Kingston
Cassidy Kline (MN)
Castle Lamborn
Coble Lance
Coffman (CO) Latta
Cole Lee (NY)
Conaway Lewis (CA)
Crenshaw LoBiondo
Culberson Lucas
Davis (KY) Luetkemeyer
Diaz-Balart, L. Lummis
Diaz-Balart, M. Lungren, Daniel
E.
Dreier Mack
Duncan Manzano
Emerson Marchant
Fallin McCarthy (CA)
Flake McCarly
Fleming McCarly
Forbes McClintock
Foxy McHenry

Schakowsky Schauer
Schauer Schiffer
Schiff Schirmer
Schirmer Schwartz
Schwartz Scott (GA)
Scott (GA) Scott (VA)
Scott (VA) Serrano
Serrano Sestak
Sestak Shea-Porter
Shea-Porter Sherman
Sherman Shuler
Shuler Sires
Sires Skelton
Skelton Slaughter
Slaughter Smith (TX)
Smith (TX) Smith (WA)
Smith (WA) Snyder
Snyder Space
Space Speier
Speier Spratt
Spratt Stark
Stark Stupak
Stupak Sutton
Sutton Tanner
Tanner Taylor
Taylor Teague
Teague Thompson (CA)
Thompson (CA) Thompson (MS)
Thompson (MS) Tierney
Tierney Titus
Titus Tonko
Tonko Towns
Towns Tsongas
Tsongas Van Hollen
Van Hollen Visclosky
Visclosky Walz
Walz Wasserman
Wasserman Schultz
Schultz Waters
Waters Watson
Watson Watt
Watt Waxman
Waxman Weiner
Weiner Welch
Welch Wilson (OH)
Wilson (OH) Wittman
Wittman Wolf
Wolf Woolsey
Woolsey Wu
Wu Yarmuth

Smith (NJ) Thornberry
Souder Tiahrt
Stearns Tiberi
Sullivan Turner
Terry Upton
Thompson (PA) Walden
Wamp
Westmoreland
Whitfield
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—15

Barrett (SC) Davis (AL) McCollum
Blackburn DeGette Melancon
Bonner Fattah Mollohan
Brady (TX) Hoekstra Napolitano
Campbell Kennedy Velázquez

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1211

So (two-thirds not being in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

RESIGNATION AS MEMBER OF
COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Service:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 5, 2010.

Speaker NANCY PELOSI,
House of Representatives,
Washington, DC.

DEAR SPEAKER PELOSI: I hereby resign my appointment to the House Armed Services Committee so that I might accept the appointment to House Committee on Appropriations.

It has been my distinct honor to serve on the Armed Services Committee these past three years and I feel privileged to have been able to serve under the Honorable Chairman Ike Skelton. However I must resign my appointment to this committee effective immediately in order to begin work on the Committee on Appropriations and continue my work on the House Permanent Select Committee on Intelligence.

Sincerely,

PATRICK J. MURPHY.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

GENERAL LEAVE

Mr. MARKEY of Massachusetts. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the bill, H.R. 5019, into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOME STAR ENERGY RETROFIT
ACT OF 2010

The SPEAKER pro tempore. Pursuant to House Resolution 1329 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5019.

□ 1214

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5019) to provide for the establishment of the Home Star Retrofit Rebate Program, and for other purposes, with Ms. EDWARDS of Maryland in the chair.

The Clerk read the title of the bill.

□ 1215

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Texas (Mr. BARTON) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY of Massachusetts. Madam Chair, I yield 3 minutes to the gentleman from California (Mr. WAXMAN), the chairman of the Energy and Commerce Committee.

Mr. WAXMAN. Madam Chair, I rise in strong support of H.R. 5019, the Home Star Energy Retrofit Act of 2010.

This legislation, more than anything, is about jobs. When enacted and funded, Home Star will create 168,000 new jobs here in the United States. These are jobs that won't be outsourced overseas. They are construction jobs in our neighborhoods and our communities. And they're manufacturing jobs for workers at factories in America. Nearly one in four workers in the home construction and services industry has been laid off. Passing Home Star says, "Help is on the way."

Home Star would accomplish this by establishing a rebate program for the installation of energy-efficient home upgrades. These rebates would encourage homeowners to hire contractors to install new, efficient heating and air conditioning, to insulate their homes, and to replace drafty windows and doors. It's an approach that can benefit every contractor in this country, from small independent businesses to contractors associated with large home improvement store chains.

This legislation also saves consumers money, and it cuts pollution. When it is fully funded, Home Star will allow 3 million families to retrofit their homes to be more energy efficient.

Homes in America account for over 20 percent of the Nation's carbon pollution. Existing technologies and practices can cut home energy use by up to 40 percent. That would slash carbon pollution by millions of tons.

This is a bipartisan bill. It was introduced by Representatives WELCH and EHLERS. The legislation was reported favorably from the Energy and Commerce Committee last month in a bipartisan vote of 30-17. Representative WELCH and Subcommittee Chairman MARKEY deserve special recognition for their hard work in pushing this legislation to become a reality.

The bill also has support from a remarkably broad coalition that ranges

from local contractors to environmentalists to organizations like the National Association of Manufacturers and the Chamber of Commerce. These groups all support Home Star because it's a commonsense program that's good for the country.

One question that was raised when the rule was being debated is whether this will affect our deficit. This is a complete red herring. The legislation we are considering today is an authorization. It does not spend a dollar of taxpayers' funds. That's why the non-partisan CBO says enacting this bill would not affect direct spending of revenues. Once we have passed this legislation, we will need to pass another bill that provides the funds to carry it out. We will do that in a fiscally responsible way.

I urge Members to vote for jobs, for consumers, and for the environment.

COMMITTEE ON OVERSIGHT
AND GOVERNMENT REFORM,
Washington, DC, May 4, 2010.

Hon. HENRY WAXMAN,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR CHAIRMAN WAXMAN: I am writing to confirm our mutual understanding with respect to the consideration of H.R. 5019, the Home Star Energy Retrofit Act of 2010.

I appreciate your efforts to consult with the Committee on Oversight and Government Reform regarding those provisions of H.R. 5019 that fall within the Oversight Committee's jurisdiction, including provisions related to the federal civil service and acquisition policy.

Given the importance of moving this bill forward promptly, I do not intend to object to its consideration in the House. However, I do so only with the understanding that this procedure should not be construed to prejudice this Committee's jurisdictional interest or prerogatives in the subject matter of H.R. 5019, or any other similar legislation.

I would also request your support for the appointment of conferees from the Oversight Committee should H.R. 5019 or a similar Senate bill be considered in conference with the Senate.

Finally, I request that you include our exchange of letters on this matter in the Congressional Record during consideration of this legislation on the House floor.

Sincerely,
EDOLPHUS TOWNS,
Chairman.

COMMITTEE ON ENERGY AND
COMMERCE,
Washington, DC, May 5, 2010.

Hon. EDOLPHUS TOWNS,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN TOWNS: Thank you for your letter regarding H.R. 5019, the "Home Star Energy Retrofit Act of 2010." The Committee on Energy and Commerce recognizes the jurisdictional interest of the Committee on Oversight and Government Reform in H.R. 5019, and I appreciate your effort to facilitate consideration of this bill.

I also concur with you that by forgoing action on the bill the Committee on Oversight and Government Reform does not in any way prejudice the Committee with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving this legislation.

I will include our letters on H.R. 5019 in the Congressional Record during floor consideration of the bill. Again, I appreciate your cooperation regarding this legislation and I look forward to working with the Committee on Oversight and Government Reform as the bill moves through the legislative process.

Sincerely,
HENRY A. WAXMAN,
Chairman.

Mr. BARTON of Texas. I yield myself such time as I may consume.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Madam Chair, the bill before us today is not a bad piece of legislation. Mr. EHLERS, for example, of Michigan is one of the Republican cosponsors of it. Mr. WELCH of Vermont has sought assistance across the aisle. Mr. MARKEY, Mr. WAXMAN, the full committee and subcommittee chairmen, have taken a number of amendments in subcommittee and full committee and I think generally worked in good faith.

Having said that, here we go again, Madam Chair. It's Thursday. This is the only bill this week that we are going to have a rule on. This is an authorization bill, as Chairman WAXMAN just said, but it authorizes \$6.6 billion to be spent over a 2-year period, and makes no attempt to find a way to pay for it. So it's another new program with all the right feel-good intentions, but it's all hat and no cattle as we would say down in Texas.

In committee, Chairman WAXMAN, to his credit, did say that the bill should be paid for. He did encourage Congressman LATTA of Ohio, who offered a pay-for amendment that the bill would be paid for, if he would withdraw it he would work with him, and yesterday we did have some discussions with the chairman on how to pay for it. Those discussions did not provide a satisfactory conclusion to either side, so Mr. LATTA went to the Rules Committee and asked that his amendment be made in order. Eight amendments were made in order, but his amendment was not, Madam Chair.

Chairman WAXMAN is correct when he says this is an authorization bill so you don't have to have a pay-for. That is true in a technical sense. But I think it's time for this Congress and certainly our committee, the Energy and Commerce Committee, to show the American people that, if we want to create new programs, we don't want to increase the deficit, borrow money to pay for them. We should be able to find a pay-for.

Just as it's true that it's not technically necessary because this is an authorization bill, it's also true that we could set a precedent and set a practice at least in our committee, the Energy and Commerce Committee, of saying if we are going to create new programs we are going to show where the money should come from.

There is not a real need for this program at this point in time. In the so-called stimulus package earlier in this

Congress and in the last Congress, we authorized and I think even appropriated \$5 billion in weatherization funds and grants for the Department of Energy. Now, that program operates a little bit differently than the program in this bill would operate if enacted into law. But we can't tell that the Department of Energy, Madam Chair, has spent any of that money that's already been authorized and appropriated. And that's \$5 billion. Why have another \$6.6 billion program when you haven't successfully implemented the current \$5 billion program? Again, that weatherization program is somewhat different in the way it's structured than the pending bill, but the goals of it are very, very similar to this bill.

The definition of insanity, Madam Chair, is doing the same thing over and over and expecting a different result. That appears to be what we are doing here today with the Home Star Energy Retrofit Act. It's another chapter in saying one thing, trying to put something out that looks good, feels good, but doesn't really have the substance to back it up.

So I have great respect for the authors of the legislation, great respect for the leadership of my committee on the majority side, but I don't believe we should authorize a \$6 billion program without a pay-for or an indication of how we intend to pay for it. I think that's too much, and I think it's bad public policy with a deficit of \$1.5 trillion.

We will support some of the amendments, Madam Chair. There are eight amendments. As the ranking member of the full committee, I believe I am going to recommend a "yes" vote on six of the eight, maybe seven. But on final passage I will recommend a "no" vote.

Madam Chair, we'd be hard-pressed to find a single Member of Congress who thinks energy efficiency is a bad idea. Everybody wants to lower energy consumption because we want to cut our electricity bills. Additionally, manufacturing and installing energy efficient products for the home can be a boon for businesses and jobs across the country. The market works.

Home Star will cost taxpayers \$6.6 billion over the next 2 years. With the tidal wave of spending that has roared out of Washington over the last 18 months, sometimes \$6.6 billion might not sound like much, and that's exactly why we need to start looking at programs like Home Star much more carefully.

Without a payment mechanism in H.R. 5019, what we have is an authorization that simply instructs the Federal Government to spend \$6.6 billion over the next 2 years. Then we here in Congress are supposed to figure out where to get the money. Who believes that's going to happen? This legislative artifice defies the majority's own Pay-As-You-Go rule, not to mention the public's trust, and it assures that deficits will go on expanding.

It didn't have to be that way. Our newest colleague on the Energy and Commerce Committee, Mr. LATTI of Ohio, offered an amendment in the markup that would apply Pay-Go rules to this legislation. It was withdrawn

through an agreement with the committee chairman that spending details would be worked out before H.R. 5019 reached the House Floor. Yet here we are today, still without a way to pay for this program.

This is not the first government program we've examined in the 111th Congress to encourage home energy efficiency. In the so-called Stimulus Bill, Congress authorized \$5 billion for home weatherization funds and grants. After an entire year, the Department of Energy has admitted to accomplishing virtually nothing with this amount of money. How are we to believe DOE can handle \$6.6 billion for a newly-created program when it has proven it can't handle \$5 billion to complement a program that already exists?

Like the \$5 billion in weatherization funds, Home Star is supposed to create jobs. But if past is prologue, we are right to be skeptical of such a claim. While the stimulus bill was being debated, the economic alchemists in the White House told us it would cap unemployment at 8 percent. This was supposed to be achieved partially through dramatic expansion of government programs like home weatherization. But thanks to Obama administration bureaucracy and the built-in inefficiency of all government programs, the money has been spent without taxpayers getting the benefits that their money was supposed to buy.

The definition of insanity is repeating the same action over and over and expecting a different result, and that's precisely what we're doing here today with the Home Star Energy Retrofit Act. It's another chapter in the story of the Obama administration: Excitement followed by spending followed by disappointment.

In a time of exploding deficits, bumbling government and economic recession, Congress could do America a favor by paying for the programs it enacts. We should begin today.

Until we are willing to pay for it, I urge my colleagues to vote "no" on this bill.

With that, I ask unanimous consent that Mr. UPTON of Michigan control the balance of the time on the minority side.

The CHAIR. The gentleman will be recognized.

Mr. MARKEY of Massachusetts. Madam Chair, I yield myself 1 minute at this time.

Madam Chair, this is really a tremendous piece of legislation. It's a win-win-win. It will ultimately wind up with \$9.2 billion worth of energy savings for American consumers because of the installation of these work smarter, not harder, technologies that we will be helping consumers to purchase. It will create 168,000 new jobs, especially in the construction sector which has upwards of 25 percent unemployment, and it will increase our energy independence by backing out that oil that we import into our country, moving us closer to this energy independence, which should be the goal of our country, using new energy technologies that make it possible for every consumer to participate in this revolution. This is an excellent piece of legislation.

I reserve the balance of my time.

Mr. UPTON. Madam Chair, I yield 3 minutes to the gentleman from Florida

(Mr. STEARNS), a member of the committee.

Mr. STEARNS. I thank the distinguished chairman, Mr. UPTON from Michigan.

Here we go again, my colleagues. We are going to spend a lot of money and here we have a huge \$1.5 trillion deficit. I am a member of the Renewable Energy and Efficiency Caucus. I strongly support, obviously, providing property owners with the education, simple education, incentives for them, and resources to voluntarily improve their homes and save energy. But I have a number of significant concerns with this legislation, including the total cost; also questions about the U.S. Department of Energy, their ability to effectively implement this program; and the fact that the Federal Government will be the one picking technology winners and losers, and not the free market, is also a concern of mine.

My colleagues, at a time when we have an increasing national deficit, it's simply irresponsible to add an additional almost \$7 billion in spending. Again the word billion. This spending is in addition to the more than \$10 billion spent by the American taxpayers to implement a weatherization program. There are also significant concerns regarding the Department of Energy's ability to implement this program, especially under the tight deadlines required in this legislation.

In fact, the Department of Energy Inspector General recently issued a report concluding that as of February 2010, of the roughly \$4.7 billion DOE, Department of Energy, has awarded in grants to the States under the Recovery Act weatherization program, only \$368 million, less than 10 percent, had been used by States for this purpose, and only 30,000 homes have actually been weatherized.

This legislation also comes on the heels of the Energy Star fraud that was exposed earlier this month. Countless stories in mainstream newspapers reported the lax standards by which the Environmental Protection Agency approves "energy efficient" devices, allowing 15 phony products to pass inspection. Among those products approved were a gasoline-powered alarm clock and an air purifier which is nothing more than an upright fan with a feather duster taped to the top. Those are the things the Department of Energy approved, and you are going to give them almost \$7 billion to go and institute and follow along this bill?

H.R. 5019 is simply another multi-billion dollar government scheme that picks winners and losers through cash handouts to mostly, in this case, unionized labor at a time when the Federal Government is already running a \$1.5 trillion annual deficit. So look at this carefully. We don't need to spend more money to do this. There is a lot of fraud that exists at the Department of Energy. They are lax. So I urge a "no" vote.

Mr. MARKEY of Massachusetts. I yield 1 minute to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Madam Chair, I also want to thank Chairman WAXMAN and Chairman MARKEY and their very capable staffs for working with my office to ensure that we include tangible benefits in the Home Star Program for all constituents, including those in the lower income communities such as the one I represent on the south side of Chicago.

I also must thank my friend and colleague BARBARA LEE and her great staff, as well as the Home Star Coalition, who collaborated with my office and the Energy and Commerce Committee to strengthen this outstanding, remarkable Home Star Program legislation.

Madam Chair, I am pleased to point to several provisions within the bill that would directly benefit my constituents, including the quality assurance framework, which targets training and employment opportunities for lower income families and workers, and aggressive outreach and financial assistance for our most vulnerable communities to help them take advantage of the energy-and money-saving retrofit opportunities within this bill.

Madam Chair, I fully support this bill, and I urge all of my colleagues to do the same.

□ 1230

Mr. UPTON. Madam Chair, I would yield 5 minutes to the distinguished gentleman from the great State of Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding me a generous amount of time.

I rise to speak, because I am the principal Republican—in fact, perhaps the only Republican—cosponsor of the bill. But it's a very worthy bill, and I believe we should present that side of it as well.

I must say, I share the concerns of my Republican colleagues about the cost and where the money is going to come from to pay for it, but I have to also say that I think the value of this bill is so much greater than many of the other bills we pass that I'm certain we could find the funds for it if we need to.

Let me just comment as a physicist, which is what I am, and say a little bit about energy. First of all, energy is the most basic resource that we have, and there's very little we can do without energy. If you look back through history, you find that the great changes in the history of our planet and the people living on our planet arose with new developments in energy. For example, agriculture never really succeeded until people discovered they could hitch a plow to an oxen or a horse, and use animal energy to supplement human energy. Later on, the Industrial Revolution took place. Why and when did that happen? Because people in developed countries had discovered they could use energy in other forms to per-

form the work that people had been doing. I'm talking about, for example, hydropower, getting energy from water running over mill wheels and so forth. But also, other types of energy were developed about that time; such as burning coal to extract energy from it or using coal to generate electricity, and use that power to drive the machinery that was necessary in the mills and the factories at that time.

We are now in an era of multiple uses and multiple sources of energy, but the energy we are using is not that abundant. We are depleting our supplies of fossil fuels, particularly oil and coal, and also natural gas. Even though we have found some new gas resources recently, if you look at the numbers you can calculate very precisely when we are going to run out.

The cheapest way to develop new sources of energy is by conserving the energy we use now. I'm just going to say that again because it's so important. If we simply use our energy efficiently, and we conserve energy when we can, we can solve most of our energy shortage problems for the next 30 to 40 years. That's why I think this bill is very important, because it stimulates the use of our ingenuity to reduce the amount of energy that we need to use.

I have had personal experience with this. Some years ago, I got tired of paying exorbitant gas bills to keep our home warm, and so I did the things that this bill advocates; in other words, proper insulation, and doing exactly what you can to prevent loss of energy, et cetera. It worked. Since then, my gas bill for heating my house is down about a third of what it was before. Now that's a lot of money we're talking about, and every American would love to save that amount of money on their utility bill every year. That's what this bill will provide. It also helps educate or train the people who will be installing the energy-saving technology in individuals' homes or in factories, plants, and so forth.

This does work. The EPA did it some years ago, with their Green Lights program. The EPA went around to most of the business buildings in this country, factories or stores or whatever, and did an analysis of the energy that was used to provide lighting for the buildings, and they discovered that they could save a tremendous amount of money. They also calculated what the payback time would be if the owner of the factory or the store implemented their recommendation. The average payback time was on the order of 2 to 3 years. Now, you show a businessman how he can save money and in the process get a payback time for his investment of only a few years, they're going to do it. That program was exceedingly successful. And it worked. That's exactly the type of model we're dealing with here.

So I urge the passage of the bill. I hope it is successful. I hope we can resolve the issue of where the money is going to come from so that we have

uniform support of this on both sides of the aisle, all across our nation.

Mr. MARKEY of Massachusetts. We have just heard from the Republican sponsor of the bill, and now we hear from the principal Democratic sponsor, the gentleman from Vermont, who has been giving us the leadership on this issue for the past 3 years. I yield 3 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Thank you, Chairman MARKEY, and thank you, Mr. EHLERS.

Madam Chair, a great nation does not shrink from its challenges. It faces them directly. We face serious challenges to create jobs in a tough economy, to move away from the dirty fuels of the 19th century into the cleaner fuels of the 21st, and using less fuel rather than more is a solid step that's going to help us accomplish that. We need to create manufacturing jobs in this country, where we're losing them by the day. Home Star does all three.

It's going to put our contractors back to work. There's a 25 percent unemployment rate. It's going to allow us to use less fuel rather than more. Vermonters are cheap. They like that. I think that's something that homeowners around the country will like. And it's going to be 90 percent produced—all the things used in Home Star, 90 percent are produced and manufactured in the United States of America.

So this is a partnership between the government, that will help a homeowner with the upfront cost with a point-of-sale rebate, and our retailers, our homebuilders, and our manufacturers. So we're going to be putting America back to work and addressing these challenges of creating jobs and clean energy.

If we're going to be successful in this challenge and others, we really should be doing them on a bipartisan basis. And this is a way of showing how it can be done. With the leadership of Mr. EHLERS, we have bipartisan support. But we have others.

Mr. BARTON, in the committee, made very constructive suggestions on how we can improve this bill, and they were incorporated in it: A specific number about how much we're going to spend, not open-ended. A sunset, so we can kick the tires after a few years and see how the program is working. Former Michigan Governor, a Republican, John Engler, a strong endorser. Former Secretary of Energy in the Bush administration, Spencer Abraham, fully endorsing this. Why? Because it's practical. It's common sense. It's a partnership between the public and the private sector.

There's been a concern raised about spending, and rightly so. This bill must be paid for. All of us who support this legislation acknowledge that. And we will have to vote on how exactly we're going to have this paid for. And we will. But let's keep in mind that there is a difference between a wise investment and wasteful spending.

When you have a bill that's going to put our 25 percent unemployment rate folks back to work and it's going to allow homeowners to save money, not just this year but next year and the year after and the year after that, that's a wise expenditure of money, where we have our homeowners putting some of their money down and getting some taxpayer help to get the job done. Home Star is that solid investment that is going to achieve that hat trick of energy savings for the homeowner, of moving towards a cleaner environment, and of creating jobs here at home.

Mr. UPTON. Madam Chair, I would yield 2 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

I rise in opposition to this measure, which they call Cash for Caulkers, since it's based on the Cash for Clunkers program, and maybe, before we go any further, somebody needs to ask, Well, how did that last one work out? In fact, economists at Edmunds.com did exactly that.

They discovered that of the 690,000 cars sold under Cash for Clunkers, 565,000 sales would have happened anyway, which means the taxpayers ended up paying about \$24,000 for every genuine sale that it actually stimulated. But it gets worse. All the program accomplished was to entice people to move up their purchase decisions by a few months, which then caused below-normal sales in the months that followed. In other words, Congress spent \$4 billion creating a car bubble. With that fresh economic wreckage just behind us, we're about to create a \$6.6 billion home improvement bubble. We can now replace our "Honk if you're making my car payments" bumper sticker with "Honk if you're paying for my home remodeling."

What is this actually going to accomplish?

First, a lot of fraud. We already know that the Energy Star program approved 15 out of 20 fake products that were submitted to them by the GAO, including a gasoline-powered alarm clock. One can only imagine what home improvement scams taxpayers will fund from this one.

Second, it's going to pay for a lot of remodeling that would have been done anyway. That was the expensive lesson from Cash for Clunkers.

Third, it's going to be paying for remodeling that makes no economic sense except for the rebate. After all, when remodeling actually saves money, people do it on their own. Congressman EHLERS just pointed that out. And if it doesn't save money, why should taxpayers be forced to pay for it in the first place?

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. Madam Chair, I yield 30 additional seconds to the gentleman.

Mr. MCCLINTOCK. Madam Chair, I was just going to point out, Benjamin

Franklin pointed out that "experience keeps a dear school, but fools will learn in no other." This bill today offers us a sobering corollary—that there are some people who cannot even learn from experience. We call these people "Congressmen."

Mr. MARKEY of Massachusetts. Madam Chair, I yield 1 minute to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. During consideration of the Home Star Energy Retrofit Act in the Energy and Commerce Committee, I raised concerns that Home Star funding might encounter the same delays we have seen with the ARRA-funded weatherization projects due to the State Historic Preservation Office review required by the National Historic Preservation Act. Since committee markup, I have worked with Chairman WAXMAN and Chairman RAHALL to ensure no historic preservation review will be required for Home Star rebates.

I have a letter from the Advisory Council on Historic Preservation providing a legal opinion that this program would not trigger a review under the National Historic Preservation Act. I will submit this letter for the RECORD.

ADVISORY COUNCIL
ON HISTORIC PRESERVATION,
Washington, DC, May 5, 2010.

Hon. BART STUPAK,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN STUPAK: At the request of your Legislative Assistant, Justin Hagel, we are providing the following opinion regarding the applicability of Section 106 of the National Historic Preservation Act (Section 106), 16 U.S.C. §470f, to the Home Star Retrofit Rebate Program that would be established under H.R. 5019 (Home Star). As the agency responsible for issuing and interpreting the regulations implementing Section 106, we take the position that Home Star would not trigger Section 106 responsibilities for the Department of Energy, Environmental Protection Agency, Department of Commerce, or any other federal agency.

The purpose of Section 106 is to inform federal agency decisions about undertakings that may affect historic properties before such effects take place. The way that Congress has structured the Home Star Retrofit Rebate Program, any effects to historic properties would have already taken place before a federal agency would even be aware of a retrofit project. The Federal Rebate Processing System, as proposed, will not acknowledge that a retrofit has been implemented until after the project has actually occurred.

The contractor will have given the homeowner a discount based on the expected Home Star Retrofit Rebate Program, submitted a request for a rebate to a Rebate Aggregator, and then submitted the claims to the Federal Rebate Processing System. Under such circumstances, a federal agency would not have the slightest modicum of discretion to exercise regarding effects to historic properties when it makes a decision to reimburse a Rebate Aggregator. Likewise, as explained above, the effects to historic properties, if any, would have already occurred.

The reimbursement decision by the Federal Rebate Processing System is arguably ministerial, therefore, not subject to Section

106, since Congress specifically requires reimbursement upon the filing of claims, subject only to random quality assurance verifications. This is similar to the Internal Revenue Service's (IRS) processing of tax deductions and credits claimed on income tax returns. Due to the ministerial nature of the IRS's decision making in their review of those returns, the ACHP does not consider such reviews as triggering Section 106 compliance responsibilities for the IRS.

We appreciate the Committee affording the ACHP an opportunity to review the Home Star Retrofit Rebate Program legislation. If you have any further questions, please contact me.

Sincerely,

JOHN M. FOWLER,
Executive Director.

Congress does not want the Home Star program to trigger reviews that would delay energy efficiency improvements that benefit consumers, manufacturers, and contractors. I want to thank Chairman WAXMAN and Chairman RAHALL for working with me to address this concern.

I also want to thank Chairman WAXMAN for working with me to include the eligibility of energy-efficient wood products in the manager's amendment. This provision strengthens the underlying bill and will help one of the hardest hit sectors of our economy.

I urge my colleagues to support the bill.

Mr. UPTON. Madam Chair, I yield 4 minutes to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. I thank the gentleman for yielding.

Madam Chair, I rise today to speak against H.R. 5019. As I discussed earlier during the rule debate, I have very serious concerns about how we are paying for this legislation. In exchange for withdrawing my deficit neutrality at the full committee markup, Chairman WAXMAN said he would work with me in trying to find a way to pay for this piece of legislation. I do thank the chairman for meeting with me on this matter. Unfortunately, we were unable to find a pay-for during our negotiation.

Although this is an authorization legislation and not an appropriation, I feel that if this program is important enough to authorize, it should be important enough for us to find a way to pay for it. I am concerned that the majority could not give any assurance that this bill will indeed be paid for.

I offered an amendment yesterday regarding the Federal deficit that was not accepted in the Rules Committee, and therefore we are not able to have an open debate on this issue today on the House floor. It is frustrating that the majority has shut down the opportunity to have a debate on the cost of this legislation and the addition it will be to the Federal deficit.

□ 1245

The majority is claiming that this bill does not need to have a pay-for since, again, it is an authorizing bill. However, I believe that the issue of the budget deficit should at least be able to be debated.

While I support the incentives to help provide energy efficiency as well as programs to promote job growth, I am very concerned about the \$6.6 billion price tag of this legislation. In addition, this is duplicative of an existing government program that has not been fully implemented.

Just a little bit ago, the gentleman from Florida stated—but I think it's really important to reiterate—that the Department of Energy recently issued a report concluding that as of February 2010, of the \$4.7 billion DOE has awarded in grants to States under the stimulus weatherization programs, only \$368 million—less than 10 percent—has been used by the States for weatherization programs and only 30,297 homes have actually been weatherized.

Of the 10 States receiving the most money under the \$4.7 billion allocated for the weatherization program under the Recovery Act, only two had weatherized more than 2 percent of the homes covered by the program. The other eight States weatherized fewer than 400 homes each. Because the \$4.7 billion weatherization program has been incredibly slow to implement, I have concerns about the effectiveness of the \$6.6 billion in the Home Star Energy Retrofit program.

This simply is not the right time for a new program. Ohio currently has an unemployment rate of 11 percent, and my district has an average unemployment rate of 13.5 percent. Individuals in my district are asking, Where are the jobs? And these same individuals are asking how Congress can continue to spend more and more money on government programs rather than cut spending to ensure a better future for our children and grandchildren. They are very concerned about the debt and the deficit that this Congress is amassing. That is why I offered the amendment to the legislation regarding the national deficit and why I wanted to have a debate on this amendment on the House floor in regards to this legislation.

Unfortunately, I cannot support another government-run program that will do nothing to help the constituents of my district. I urge a "no" vote on the bill.

Mr. MARKEY of Massachusetts. Madam Chair, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank the gentleman from Massachusetts, and I second what he said about this bill being a win for all.

I'm sorry there is so much negativity on the other side of the aisle about this bill. This bill takes care of our energy needs and at the same time creates a bold effort to create jobs and to improve the economy.

We cannot rest. Too many Americans are unemployed, and in particular, middle class Americans are still hurting. We must remain focused on revitalizing our economy, and this bill helps to do that.

A smart and effective way to generate jobs is through home retrofits.

We can incentivize consumers to weatherize their homes and put our idle contractors and construction workers to work. In turn, many households would save substantial money by weatherizing their homes.

So this Home Star program is a good one. I encourage my colleagues to support this bipartisan legislation, stop with the negativity. Let's move on together.

Mr. UPTON. Madam Chair, may I inquire as to the time remaining on both sides.

The CHAIR. The gentleman from Michigan has 11½ minutes remaining, and the gentleman from Massachusetts has 20 minutes remaining.

Mr. UPTON. Madam Chair, I reserve the balance of my time.

Mr. MARKEY of Massachusetts. Madam Chair, I yield 1 minute to the gentlelady from California (Mrs. CAPPs).

Mrs. CAPPs. Madam Chair, I rise to express my strong support for the Home Star Energy Retrofit Act.

If the unfolding tragedy in the gulf teaches us any lessons, it's that we should be using less energy and getting the energy we need from cleaner sources. This bill is one of several steps taken by this Congress and this administration to achieve these goals that are so important to our economy, to our environment, to our national security.

The fast-acting Home Star program will create hundreds of thousands of jobs in hard-hit industries like construction and manufacturing, will reduce energy use in millions of homes, and it will save homeowners billions in energy bills for years to come. It will do this by providing homeowners upfront rebates for energy-saving investments like new appliances, efficient windows, and insulation.

Madam Chair, our communities desperately need jobs, and Home Star will help create them. It's a critical step toward building the kind of clean energy economy we need to lift up our communities, spur on sustainable growth, and end our addiction to dirty fossil fuels.

I applaud the bipartisan efforts that have brought Home Star to the floor of the House. I urge my colleagues to vote for its passage.

Mr. MARKEY of Massachusetts. Madam Chair, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Madam Chair, scientists have made an amazing discovery, and that is, we are the Saudi Arabia of energy. We have the ability to power the growth of our economy by finding efficiency right in the walls and windows and doors of our homes, and this bill will unlock that incredible source of energy that is clean. If Americans want to know what we can do to avoid the problem we're seeing in the Gulf of Mexico, it's to take advantage of this bill and make our homes more efficient.

Some of the Republicans don't want to help us on this bill, but they sure

had no problem giving \$1 billion of subsidies to the oil companies that are responsible for the disaster in the Gulf of Mexico. If they want to help us in finding a way to pay for this bill, which we are going to find, I hope they will co-sponsor our bill to raise the limit of liability of the companies that are responsible for this to \$10 billion so that they pay for this cost. They will need to abandon their friends in the oil industry, but help the American taxpayer, and we will get the efficiency we deserve.

Mr. MARKEY of Massachusetts. Madam Chair, I yield 1 minute to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Madam Chair, I rise in support of H.R. 5019, the Home Star Energy Retrofit Act; and I want to commend Congressman WELCH for his extremely productive efforts on pursuing this issue. This Home Star program will help support jobs in the construction and home retrofitting sectors, which have been among the hardest hit during this economic recession. In addition, in my home State of Utah, it will help homeowners make the investments necessary to improve energy efficiency in their homes, which in turn will help them save money on their energy bills.

In my State of Utah, well over half of an individual's residential energy bill goes to home heating and air conditioning, and we have all felt the impact of increased home energy costs on our budgets over the last few years. We know that savings from energy efficiency upgrades are among the best ways homeowners can keep their energy costs low.

This bill is supported by over 1,200 companies and organizations nationwide, including the U.S. Chamber of Commerce, the National Association of Manufacturers, and in my home State, the Utah Clean Energy Coalition and utahgreenhomes.com.

I encourage my colleagues to support this bill, and I hope the Cash for Caulkers program can be signed into law soon.

Mr. MARKEY of Massachusetts. Madam Chair, I yield 1 minute to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Thank you very much, Chairman MARKEY, for your leadership and thank you for bringing this important job-creating bill to the floor today.

Let me just highlight a section of the bill that I worked on to guarantee that all data processing jobs created will be American jobs. Because of this bill, companies and nonprofits will be aggregating data to provide rebates for thousands of energy-efficiency projects created by the act. We have ensured that the work is done right here in the U.S.

The offshoring of data services, which is commonplace in the corporate world, not only kills American jobs, but also presents a security concern as government data could be flowing to

parts unknown. The language in this bill ensures that the work remains on American soil with the American worker doing the job.

I am proud to support the Home Star Act and thank the chairman for his leadership. This bill will create jobs and continue to put us on a path to a more sustainable future.

Mr. UPTON. Madam Chair, I yield 1 minute to the minority leader of the House, Mr. BOEHNER of Ohio.

Mr. BOEHNER. Let me thank my colleague for yielding and remind my colleagues that once again we're debating the Cash for Caulkers bill. We are going to weatherize homes around America, and we're going to put Americans back to work once again. The only problem is that we spent almost \$5 billion in the stimulus bill 15 months ago, the States are awash in weatherization funds, and a lot of the money that has been spent has gone to crooked contractors, shoddy work, and there are investigations going on all over the country. But in spite of all of the evidence that this plan is not really working, we're going to authorize \$6.6 billion of money that we don't have so that we can caulk homes.

Now, I think it's a good idea to caulk your home, to weatherize your home, to make our homes more energy efficient; but we have to remember something: 43 cents of every dollar the Federal Government spends this year we're going to borrow. And guess who gets to pay that money back? It's going to be our kids and our grandkids.

The gentleman from Massachusetts is suggesting that we ought to pass this bill, continue this Cash for Caulkers program, and then send the bill to our kids and grandkids. Count me out.

Mr. MARKEY of Massachusetts. Madam Chair, I yield myself 1 minute.

The point here is that what the United States, over the years, has done is to not properly focus upon the things that we can do in order to avoid ever having to import oil from Saudi Arabia, from OPEC. The smartest way to do that is to put in place programs that have the most efficient air conditioners, the most efficient heating systems, the most efficient windows, the most efficient devices that consumers can use in order to reduce their energy bills, reduce the need for us to import energy from overseas, to improve our own American self-sufficiency, and to pass on to the next generation a country that is using our technological genius. That's who we are.

The United States only has 2 percent of the oil reserves in the world; that's our Achilles' heel. Our strength is that we are a technological giant. When we apply our technological genius, we solve problems.

Madam Chair, I yield 1 minute to the gentleman from the State of California (Mr. MCNERNEY).

Mr. MCNERNEY. Madam Chair, I rise today as a proud cosponsor of H.R. 5019, the Home Star Energy Retrofit Act of 2010. And I want to offer a warm con-

gratulations for my good friend and colleague, PETER WELCH, who has shown a tremendous amount of leadership on this issue.

Basically, what H.R. 5019 does is provide incentives for consumers to invest in energy efficiency upgrades to their homes. This is going to create many, many jobs, it's going to create new businesses, it's going to save greenhouse gas emissions, it's going to help homeowners on their energy bills.

I am pleased that an amendment that I offered in the committee to H.R. 5019 was accepted. Basically, what that does is it allows the business community to have confidence that they will get their reimbursement within 30 days, that the DOE will handle that reimbursement within 10 days. So I urge my colleagues to support the Home Star bill.

Mr. MARKEY of Massachusetts. Madam Chair, I yield 1 minute to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

Two things: one, the concern about weatherization versus this program. This is different. It is a direct engagement by the homeowner. They make the decision, and then they go to the existing infrastructure of retailers and contractors. So there is not layers of government. This is something that Governor Engler of Michigan said made this program very practical and user friendly.

Second, I want to remind folks of the broad basis of support from unusual allies—the National Association of Manufacturers, a key vote; U.S. Chamber of Commerce, key vote; National Lumber and Building Material Dealers Association—that's 6,000 retail businesses; National Association of Home Builders, 175,000 members; the Alliance to Save Energy; the Home Star Coalition; Efficiency First; and the Retail Industry Leaders Association. This has broad support because it's practical and addresses a real-world problem by creating jobs and letting folks save money on their energy bills.

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Mr. MARKEY of Massachusetts. Madam Chair, I yield myself 2 minutes.

Mr. WELCH has just gone down the litany of organizations, from the National Association of Manufacturers, to the Chamber of Commerce, the steelworkers, the communications workers, utility workers, American Federation of Teachers. The list goes on and on on both sides. This is the kind of program that the United States should be thinking about at the point at which night after night we see this oil spill down in the gulf because it once again reminds us that the United States only has 2 percent of the oil reserves of the world.

What we do in this legislation is create a program that provides the rebates to homeowners to jump-start the manufacturing, the retail, the construction industry, focusing upon using technologies, manufactured in America, with high standards of efficiency.

And by doing so, we say to our country that we are going to turn to our own people, that when America has a plan, America wins.

This is part of a plan. And it is a part of a plan to end dependence upon imported oil. We just can't have half of our trade deficit coming from the purchase of oil from countries that we should not be purchasing it from. We need a plan. This bill is part of that plan. This bill is part of the plan that says that we are going to end business as usual. And what are the companies that we are going to use? We are going to use companies like Whirlpool, and we are going to use companies all across our country that manufacture these items that are 20 percent, 30 percent, 40 percent more efficient than anything that people have in their homes who are going to become a part of this program.

The CHAIR. The time of the gentleman has expired.

Mr. MARKEY of Massachusetts. I yield myself 1 additional minute.

The result of this will be a concomitant reduction in energy bills, in importation of energy, and kind of the sense that America has that we are losing control of our ability to control our own energy agenda.

At this time, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Chair, I appreciate the gentleman's courtesy, as I appreciate his leadership.

This bill is perfectly timed to help American families increase the efficiency of their homes, saving money on their energy bills, and create jobs for those in the construction industry which has been especially hard hit by the recession.

I am pleased that the bill includes incentives for States to support programs where utilities make loans to consumers to make upgrades and repay the cost on their utility bill. This is an important tool. It is especially important in the Pacific Northwest which has pledged to meet 85 percent of our future energy demand with energy efficiency. The Northwest has recognized not only that energy efficient is carbon free, but it costs less than half as much as new power plants.

This bill will provide our region with the tools we need to meet our ambitious targets for a low-carbon, energy-efficient future to revitalize the economy and protect the planet. I am deeply appreciative of this, and look forward to its enactment.

Mr. MARKEY of Massachusetts. Would the Chair inform us as to the order of completion of debate.

The CHAIR. The gentleman from Massachusetts has the right to close.

Mr. MARKEY of Massachusetts. I reserve the balance of my time.

Mr. UPTON. Madam Chair, I yield myself the balance of my time.

Madam Chair, first of all I want to thank the majority for working with a number of Republicans in the committee. The gentleman from Massachusetts (Mr. MARKEY) and Mr. WAXMAN

and Mr. WELCH worked with me on allowing home builders to be certified for the work, something that we thought was very important.

They worked with Mr. SHADEGG on an amendment to make sure that tankless water heaters were included, something we know is very important in the process; and Mr. SHIMKUS on geothermal; three amendments that all of us on both sides of the aisle strongly supported. We welcomed that good work.

And to a degree, we also worked on clearing up one of the major objections from the start, and that was the original legislation talked about such sums, which as we calculated was going to be up to \$23 billion. That objection was looked at and we were able to reduce it significantly, but it is still \$6.6 billion in terms of what that cap may be over the next 2 years.

And if you look at the talking points out there, we are talking about 168,000 jobs and if you divide that by the \$6.6 billion, you come out to about \$39,000 a job and that is just too much.

Mr. LATTI worked in good faith from the time that the full committee ended the markup a couple of weeks ago to try and get an amendment to sunset the act. The legislation would have a negative effect on the Federal budget deficit. He was led to believe that amendment might be in order. Despite the assurances of some on the committee, it appears that the Rules Committee denied that amendment. But we will have a chance. That amendment, as I understand it, will be part of our motion to recommit, and hopefully that motion to recommit with that provision will be included which is one that Mr. LATTI spoke about earlier in support of that amendment.

But the real problem for many of us on our side is that this is really a duplicative program going back to the Department of Energy's stimulus funding. And after a year of that, remember that was adopted in February of 2009, after a year and the money in that stimulus bill, there were promises in fact that that was going to create 87,000 jobs. And a year later, February of this year, it looked as though only 10 percent of that 87,000 figure was recognized, or about 8,500 jobs, not the 87,000. Remember as part of the stimulus, they had to be job ready. Money had to go out the door as quickly as could be. A year later, we were still only 10 percent of the jobs that were promised, far short of that number.

Now, we have a \$1.5 trillion deficit this year. A lot of us on our side think we should be taking the time to go through every program, every program in that budget to look at where we might be able to find some savings, go page by page. The taxpayers deserve no less. Enough is enough. This is a \$6.6 billion new program entrusted to the Department of Energy which after a year could only deliver 10 percent of what they were promising in the stimulus bill from last year.

So our view on this side, many of us say without the Latta amendment to make sure that in fact there is not an impact on the deficit, we would ask Members to vote "no."

Madam Chair, I yield back the balance of my time.

Mr. MARKEY of Massachusetts. Madam Chair, I yield myself the balance of my time.

Madam Chair, again, let me summarize. Home Star is a 2-year energy efficiency program that will save \$9.2 billion in consumer energy costs, create or save 168,000 jobs when our country desperately needs an increase in the number of people who are working, and increase energy independence across the Nation by sending a signal that we are going to use new technologies, more efficient technologies to back out that oil that we import.

Home Star's Silver Program is a 1-year program to provide rebates for energy efficient materials and installation. It will jump-start manufacturing, retail, and construction jobs.

Home Star's Gold Star program is a 2-year program that allows homeowners to receive rebates for making their homes at least 20 percent more energy efficient, and that includes any measure approved through an energy audit. Gold Star does not pick winners and losers. We just want the most efficient technologies to be used to reduce energy consumption in our country.

Finally, Home Star offers an energy efficiency loan program. This program will offer low-interest loans to help offset a household's 50 percent share of energy retrofit cost.

Again, an all-star cast of supporters. You are not going to see this very often: the National Association of Manufacturers, the U.S. Chamber of Commerce, the National Association of Home Builders, partnered with the steelworkers, with the communication workers, with the laborers, the utility workers, the transit unions, the sheet metal workers. This is what America needs if we are going to put our country back to work again. We should embrace this in a bipartisan fashion so that we can create a plan for our country to reduce energy consumption while we use American workers to accomplish this goal.

Ms. ESHOO. Madam Chair, I rise today in support of H.R. 5019, the Home Star Energy Retrofit Act of 2010. This sensible legislation addresses two of the most pressing issues of our day: our immediate need for jobs and our future energy reliance.

At its heart, the bill is simple—it will provide rebates to homeowners who make energy efficiency improvements to their homes. But the effects of this simple legislation will be anything but modest. Homeowners who participate in the rebate program will purchase American energy efficiency products and employ American workers to install these products, creating almost 170,000 jobs in the construction and clean technology industries.

Homeowners who purchase the improvements will save money in energy costs—nearly \$10 billion over the next decade and the en-

ergy equivalent of 6.8 million barrels of oil next year alone. These past few weeks, the oil spill in the Gulf of Mexico has reminded us of the truly destructive power of our energy habits and the urgent need to reduce our dependence on 20th century fuels.

I also know personally just how important energy efficiency renovations can be and how much money they can save. I'm very proud that my District Office in Palo Alto is now the only Congressional office in the country that is Green Certified by the Bay Area Green Business Program. The improvements and policies we've introduced in my office save taxpayer money and reduce pollution and energy usage throughout our District.

H.R. 5019 will help homeowners throughout the nation achieve similar improvements, rewarding them with lower costs and providing our nation with more jobs and greater energy independence. It is simple, sensible legislation that will move us forward on two critical priorities.

Mr. ELLSWORTH. Madam Chair, I rise today in objection to ineffective and wasteful government spending, and to thank my Colleagues for accepting my common-sense proposal to the Home Star Energy Retrofit Act of 2010.

As I traveled throughout Indiana's 8th Congressional District over the last few months, I came across many community leaders who expressed concern to me about the wasteful government spending they were witnessing firsthand. In particular, they were alarmed by the numerous boxes full of so called "promotional items" they received from the Census Bureau. Although the local leaders and I both acknowledged the critical importance of the Census count, we could hardly see how government spending on embroidered shirts, coffee mugs, CD cases, and lunch bags was an effective use of taxpayer dollars—all items that were received in large quantities by the communities throughout Indiana's 8th Congressional District.

As a result of this experience, I demanded detailed information on the promotional budgets of several federal departments, including the Census Bureau, in order to raise awareness of this kind of government spending. The results I found were startling on many fronts. For example, I was outraged when I learned the Chicago Region of the Census Bureau alone spent \$3,841,317 on "promotional items."

And I made it a priority to ensure this type of wasteful and ineffective spending never again gets through this Congress.

So today, I had the opportunity to fulfill my commitment through the Home Star bill. I support the overall bill. It will help thousands of my constituents significantly reduce their home energy bills, and it will create many jobs in the home construction and manufacturing sector. However, I was deeply concerned when I found a section of the bill that provided funding for an "Educational Campaign." To me, this section of the bill left open the very real possibility of more wasteful government spending on things like embroidered t-shirts and coffee mugs.

That's why I offered language to ensure this bill will not allow for spending on promotional items, and I want to thank Chairman HENRY WAXMAN and the Energy and Commerce Committee staff for working with me on this important taxpayer protection.

Madam Chair, as we seek to address the many challenges facing our nation, we must be vigilant about putting a stop to ineffective and wasteful spending. Finding new ways—large and small—to trim government spending will play a large part in moving our government in the right direction. I pledge to continue to do my part here in Washington, and I will continue to depend on my constituents to inform me of the wasteful government spending they experience in everyday life. We must all work together to restore fiscal sanity to our budget and get our country back on track.

Mrs. DAVIS of California. Madam Chair, San Diegans may have “America’s Finest Weather,” but when we do use our heating and cooling systems we want to ensure they provide the best cost-benefit for our pocket-books and our planet.

In fact, one of our major hotels in the Gaslamp District is currently competing against 13 other businesses across our country to see which can retrofit and reduce energy use the most, as part of the EPA’s Energy Star National Building Competition.

So I’m pleased that the Home Star Energy Retrofit legislation before us will let the homeowners in my district follow that example.

This is the kind of nuts and bolts legislation we need—it saves homeowners money, puts Americans back to work, and cuts energy consumption—by retrofitting the nuts and bolts of our appliances and our homes.

In fact, we’ve been calling this retrofitting, but “future-fitting” is a more appropriate name.

We are investing in the future of our country’s economy by creating jobs and helping the future of our environment by lowering energy consumption.

This bipartisan legislation makes sense and shows what we can do when we reach across the aisle and work together to create jobs and protect our environment.

Mr. STARK. Madam Chair, I rise today in support of legislation that continues Congress’s commitment to making our economy greener while creating good jobs. The “Home Star Energy Retrofit Act” (H.R. 5019) will provide immediate incentives for consumers who renovate their homes to become more energy efficient. This will create good paying jobs while saving families money.

The average American household spends \$2,100 per year on energy costs. Nearly 25% of that can be saved through efficiency upgrades. Unfortunately, many families cannot afford to make the changes needed to achieve savings. Using rebates will bring these upgrades within reach for 3 million families.

Up-front rebates of up to \$3,000 will be provided for the installation of insulation, windows, doors, air and duct sealing, and water heaters. This will not only save families money and reduce energy usage, it will also create an estimated 170,000 jobs in construction, manufacturing, and retail. The legislation also provides seed money to States to support loans to consumers to finance energy efficiency home renovations.

As we are witnessing in the Gulf Coast, our addiction to fossil fuels has real and sometimes disastrous consequences. We must become more efficient and transition to an economy based on clean energy. We must continue to enact policies that invest in clean and renewable energy and energy efficiency and we can do so in a way that creates good-paying jobs. I urge all of my colleagues to vote yes.

Mr. CONYERS. Madam Chair, I rise today in support of the Home Star Energy Retrofit Act, which will provide immediate incentives for homeowners to make their homes more energy efficient. This two-tiered program will offer rebates for the insulation of houses and other energy-saving measures. By installing energy efficient windows, doors, water heaters and taking other steps to consume less energy, families can expect to save over \$200 in costs each year. Energy audits will allow homeowners to know what other upgrades should be made.

In addition to allowing consumers to take advantage of the potential long-term savings in their heating and cooling costs, this rebate offer will continue the New Direction Congress’ focus on creating clean energy jobs. An estimated 168,000 American jobs are expected to be created in the construction, manufacturing and retail industries—all of which have taken a tremendous hit during the current economic downturn.

This legislation, like the funds in the Recovery Act to weatherize low-income homes, shows this Congress’ continued commitment to reducing the energy usage of houses across the country, which will keep money in Americans’ pockets and decrease air pollution in many communities. While these funds do not provide money for roof repair, which is a serious need in many low-income communities and is something I hope Congress addresses soon, I still think that this bill will do much to improve efficiency in many homes.

The recent disaster in the Gulf Coast provides yet another tragic example of why we should be focusing on energy alternatives that are clean and safe. I am pleased to join labor, manufacturing and environmental groups in being in favor of this bipartisan legislation and I encourage my colleagues to support the bill.”

Mr. ETHERIDGE. Madam Chair, I rise today to support the Home Star Energy Retrofit Act of 2010, H.R. 5019. This legislation is an essential step to help Americans save on their energy bills while spurring the creation of good jobs and the development of new green industries that will help drive our nation’s economic recovery and help us achieve a degree of energy independence.

I commend Representative WELCH for sponsoring this very important piece of legislation, which is bipartisan and supported by many pro-business and environmental organizations including the National Association of Manufacturers, the U.S. Chamber of Commerce, the National Association of Home Builders, Home Depot, Laborers’ International Union of North America, Natural Resources Defense Council, and the Home Star Coalition with over 1000 business and organization members nationwide. These groups agree that Home Star will spur much-needed consumer demand for energy-efficient products and building materials by providing significant and immediate rebates for home energy-efficient renovations. As a result, Home Star will quickly create jobs in the manufacturing, distribution and sale of energy-efficient products. These kinds of jobs are good for America, as construction jobs cannot be outsourced and 90 percent of the energy saving products needed for Home Star, including windows, doors, and insulation, are manufactured in the USA. In fact, according to a study conducted by the management consulting group McKinsey and Company, this legislation is expected to create 168,000 jobs.

Madam Chair, this legislation is a win-win for our economy. It will reduce the grip of foreign oil on our nation while spurring economic activity and job creation. I strongly support this legislation and encourage my colleagues to do the same.

Mr. DINGELL. Madam Chair, I am proud to stand in support of HomeStar, which holds much promise in three important areas. First and foremost, it will create jobs. Second, it will lead to greater residential energy efficiency. Third, it has the potential to lead to significant consumer savings.

In terms of jobs, Madam Speaker, my home state of Michigan is in a desperate situation. Our current unemployment rate is 14.3 percent and Wayne County has an unemployment rate of 15.7 percent. Between 2001 and 2009, Michigan lost nearly 43 percent of its construction jobs. The bottom line, we need jobs and we need them desperately. This program has the potential to put 168,000 workers back on the job. Not only will this help individual workers, but also small business, which has been a particularly hard hit segment of our economy. We cannot afford not to move forward.

According to the HomeStar Coalition, the energy efficiency gains have the potential to equal the removal of 615,000 cars from the road. This is particularly important since the Senate has yet to act on broader climate change legislation.

Finally, this program will be of great benefit to homeowners. This could save families as much as \$9.4 billion in energy costs over ten years. In addition, it makes homes more valuable. In these economic times, these savings and increased home values cannot be underestimated.

Madam Chair, HomeStar follows on the heels of the wildly successful Cash for Clunkers program in which the federal government provided consumers vouchers to purchase new, more fuel-efficient vehicles. The initial allocation of \$1 billion was exhausted sooner than anticipated and we had to secure an additional \$2 billion in funding for the program. Cash-for-clunkers was responsible for the sale of nearly 700,000 new vehicles in the U.S. during its run, and it added nearly one percent to third quarter GDP growth. Cash-for-clunkers has been hailed as the most successful of all recent government economic stimulus programs. According to the Center for Automotive Research (CAR), cash-for-clunkers created approximately 40,200 new jobs nationally, of which 5,800 were in Michigan.

I urge all my colleagues to support this important legislation.

Mrs. MALONEY. Madam Chair, I rise today to voice my support for H.R. 5019, the Home Star Energy Retrofit Act.

This legislation will help to create jobs, while saving consumers money, and reducing our Nation’s energy consumption.

It will also provide an important boost for the construction sector which has been mercilessly pounded by both the recession and the collapse in new housing construction.

In my role as Chair of the Joint Economic Committee, we have been examining the sector-by-sector impact of the Great Recession. The construction sector has seen employment drop by almost 28 percent since the recession began. More than two million jobs—in this sector alone—were lost.

We’re not going to get those jobs back overnight, but policies like The Home Star Energy

Retrofit Act can play an important role in encouraging growth in construction while speeding our transition to a more energy-efficient economy.

The legislation provides rebates to consumers for purchasing energy-efficient products or materials and for doing renovations to make their homes more energy efficient.

Consumers can get the rebates for buying caulk or insulation at their local hardware store, for example, or working with a contractor on larger projects, such as installing new heating or cooling systems, or replacing windows.

The larger the project, the larger the rebate.

The legislation also creates a new State-Federal program to provide loans to consumers for renovations that improve energy efficiency.

The Home Star legislation builds on the energy efficiency provisions in the Recovery Act, including weatherization programs targeted at low-income families and retrofits of public housing.

The legislation helps us accomplish two key goals—increasing jobs and reducing our energy costs and consumption.

A number of studies have already shown the job creation power of retrofitting homes and buildings.

The Center for American Progress estimated that \$40 billion invested in retrofits would create approximately 800,000 jobs. And these are good, high-paying jobs—construction workers, carpenters, electricians and roofers.

Finally, residential and commercial buildings use 40 percent of the energy in our country and account for 40 percent of carbon emissions.

The Home Star Energy Retrofit Act will speed the pace of home retrofits, speed up the creation of badly needed jobs, decrease our demand for carbon based fuels, and help us move more quickly to a cleaner, brighter, more energy efficient future.

I encourage you to support H.R. 5019.

Mr. THOMPSON of Mississippi. Madam Chair, I come to the floor today in support of the legislation before us, and to talk about companion efforts that can and should be undertaken to create jobs and ensure that people around the country are better protected from natural disasters. I support providing incentives to homeowners to make their homes energy efficient. However, at the same time, I believe we must help Americans make their homes stronger and safer.

I have long been a proponent of disaster mitigation and resiliency measures, and in fact, have sponsored a number of pieces of legislation that would assist families in strengthening their homes. I have also drafted an amendment to the Home Star bill, which though I did not offer, I am hoping can be the basis for discussions with the House, Senate and Administration as this bill moves forward.

Americans across the country are at risk from natural disasters. Though we cannot easily mitigate the disasters themselves, we can mitigate and lessen their impact. Homes can be strengthened to protect from the devastating effects of hurricanes, earthquakes, flooding, and tornadoes. Strengthening roof attachments, creating water barriers and seals, constructing saferooms, elevating electrical systems, adding storm shutters and roof protection systems are examples of what can be done to save lives and property.

Disaster resiliency not only helps better protect our residents and their property, but it creates jobs and is cost effective. A disaster mitigation program in Florida has found that for every 50 to 75 homes made more resilient, 160 construction jobs are created. Imagine if we were strengthening hundreds of thousands of homes in harm's way. We would create tens of thousands of jobs.

We would also be making a smart investment . . . one that will have significant cost savings. For every \$1 spent to strengthen homes and communities, \$4 is saved in recovery and rebuilding costs. That is not an insignificant cost savings.

Disaster mitigation also decreases energy use and reduces greenhouse gas emissions. South Carolina's state mitigation program found that installing disaster resiliency measures decreased energy usage by almost 30 percent. And, though not immediate, there are significant energy savings from preventing the destruction, and subsequent rebuilding, of homes and other structures.

Pairing disaster mitigation and energy efficiency retrofits makes sense. Federal programs should be making sure that energy efficient upgrades can withstand known risks, including natural disasters. In coastal areas, that means making sure that windows and doors are wind resistant in addition to being energy efficient, and it means making sure that the roof can withstand wind so that the home, and the energy efficiency work, is not wiped away in the next storm. Strengthening and protecting homes and buildings at the same time as we are making the homes energy efficient will help to protect our federal investment.

Providing incentives for disaster resiliency and mitigation has the support of numerous organizations including environmental groups, taxpayer advocate organizations, and affordable housing advocates. I believe there is widespread support for strengthening homes and buildings in harm's way. I look forward to working with my colleagues either on including incentives in Home Star as it moves forward or as a companion piece of legislation.

Mr. GENE GREEN of Texas. Madam Chair, I rise today in strong support of H.R. 5019, the Home Star Energy Retrofit Act, because this Congress must continue to make sure that Americans are getting back to work and that we are continuing to move our economy forward.

In our congressional district, the construction industry is one of the highest sources of income for residents, yet this industry has been especially hard-hit by the recent economic downturn.

Unemployment rates in the construction industry have risen almost 17.4 percent and have shed over 134,000 jobs over the past two years.

The HomeStar program seeks to increase employment in the construction and construction-related sectors and increase building energy efficiency to significantly reduce energy use in America.

It is estimated that the program will create approximately 168,000 more jobs in the construction and manufacturing sectors, while promoting American-made goods and services.

The program also seeks to address the issue of rising home energy costs by improving building energy efficiency.

I have always been a strong supporter of energy efficiency and I am pleased the

HomeStar program will build on already existing energy efficient retrofitting programs to save homeowners as much as \$9.2 billion in energy costs over 10 years.

Congress should continue to invest in job creation and energy efficiency measures in order to keep our nation a leader in the global economy.

I urge my colleagues to support this bill.

Mr. FALEOMAVAEGA. Madam Chair, I rise in strong support of H.R. 5019, the "Home Star Energy Retrofit Act of 2010." First I want to thank the chief cosponsor Congressman PETER WELCH and all cosponsors for their support. I also want to commend Chairman HENRY WAXMAN of the House Committees on Energy and Commerce, Chairman SANDER LEVIN of the Committee on Ways and Means; and Chairman EDOLPHUS TOWNS of the Committee on Oversight and Government Reform, and House Speaker NANCY PELOSI, for their leadership on this important issue.

Madam Chair, the "Home Star Energy Retrofit Act of 2010" continues the road to economic recovery that was set in motion last year when President Obama and the U.S. Congress approved \$787 billion in stimulus funding. Between January 1 and March 31 of this year alone 682,779 jobs were funded through recovery funding. Yet, more work remains to be done to sustain recovery and strengthen our economy and the piece of legislation before us today pursues this policy objective. It will provide further assistance to . . . facilitate energy conservation in homes across the Nation; create more jobs in the home construction and remodeling industries; promote domestic energy efficient products and equipments; and offer financing for homeowners to improve energy efficiency in homes. Overall, the economic benefits from this bill will provide more support for the many families across the country.

Madam Chair, data shows that American homes account for about 33 percent of the Nation's total electricity usage and an estimated 22 percent of all energy use in the United States. Because of high energy consumption in the country there are substantial economic benefits to be gained from installing energy-efficient improvements in every home across the Nation. A study by the Joint Center for Housing Studies of Harvard University supports this assessment noting that "energy efficiency is one area where the economic benefits of green remodeling are readily apparent," and that "the introduction of green systems could have a tremendous impact on national consumption."

The same study also finds that nearly all of the 130 million homes across the country can be retrofitted with energy efficient improvements to realize savings in energy and utility costs. More significantly, retrofit and renovation work provide significant employment opportunities for the capable workers.

In essence, H.R. 5019 will create a national rebate program that will allow consumers to purchase and install at affordable costs, energy-efficient equipments and materials in existing homes. It consists of two-tracks, Silver and Gold programs, for long term and short term gains. Under the Silver program, rebates are awarded to contractors and vendors that are installing energy efficiency measures and from there the savings are passed on to the consumers. Rebates will apply to the cost of purchase, assembly and installation of insulation, windows, window film, sealants, doors,

heating and cooling replacement systems, and water heaters that meet minimum energy efficiency requirements. Overall, the homeowners may get up to \$3000 in rebates.

Under the Gold Star program, rebates are available for energy retrofit works that will result in improvements in energy efficiency by at least 20 percent for the entire home. It rewards homeowners who conduct a comprehensive energy audit and implement a full complement of measures to reduce energy use throughout the home.

Madam Chair, I am pleased that this rebate program will be available in the U.S. Territories including my district of American Samoa. While much remains to be seen on how this rebate program will be administered and implemented, I am glad nevertheless that the federal government is doing its share to help families in American Samoa and throughout the United States.

I urge my colleagues to pass H.R. 5019.

Mr. VAN HOLLEN. Madam Chair, as an original cosponsor of this important legislation, I rise in strong support of the Home Star Energy Retrofit Act of 2010.

As we work to develop and deploy new forms of clean, homegrown energy, we must never lose sight of this central fact: There is no cleaner, cheaper source of energy than the energy you never have to use.

Energy efficiency is literally America's greatest energy resource. Over the past thirty years, energy efficiency and conservation improvements have significantly outpaced our production and import of petroleum and any other single source of energy.

Going forward, we can do even better, and this initiative is part of that future—creating 168,000 jobs across the United States, reducing carbon dioxide emissions by 4.14 metric tons, which is the equivalent of taking 767,000 cars off the road, and saving Americans \$9.2 billion on their energy bills over the next decade.

Finally, in addition to the Silver and Gold level rebates provided to homeowners under this bill, this initiative also includes the establishment of a Home Star Energy Efficiency Loan Program so that states and localities can provide low-cost financing to homeowners wishing to undertake retrofits. While on a smaller scale, this provision is consistent with the Green Bank proposal included in the House-passed energy bill and can go a long way towards overcoming the lack of upfront capital that is currently a barrier to many homeowners getting started on making these commonsense improvements in the first place.

Madam Chair, this combination of jobs, energy savings and consumer relief is a perfect trifecta for the American people. I thank my colleague Representative PETER WELCH for his leadership on this issue, commend the committee for bringing this bill to the floor and urge my colleagues' support.

Ms. JACKSON LEE of Texas. Madam Chair, I rise today in strong support of H.R. 5019, "The Home Star Energy Retrofit Act of 2010."

I would like to thank my colleague Representative PETER WELCH for introducing this legislation as it is important that we embrace programs that create jobs for Americans and help improve energy efficiency in our country.

As a member of the Renewable Energy and Energy Efficiency Caucus I am proud to express my support for this bill. Through the

Home Star program, this bill seeks to create new jobs, save energy, and lower families' energy bills. The Home Star program will do this by encouraging home and business owners to update their stock of appliances and electronic devices with new energy efficient devices and appliances. Through the use of rebates and other consumer incentives this program will work in a proactive economic way to promote green technology and innovation.

This bill comes at an important time in our history, Madam Chair. Over the last several decades we have seen national electricity and energy use growing at unprecedented rates. We have also seen massive increases in greenhouse gas emissions and a loss in employment opportunities. This bill seeks to address each and every one of these issues with an approach that would benefit the environment and work towards the improvement of our communities.

The increases in consumer spending we seek to gain from this bill would also have a massive economic impact on our country during these turbulent economic times. By spurring consumer spending we will be creating new opportunities right here in the United States for industrial, economic and jobs growth.

This program is expected to allow 3 million families to retrofit their homes with new energy efficient appliances. Consumers are predicted to save \$9.2 billion on their energy bills over the next 10 years as a result of Home Star's energy efficiency investments. Furthermore, the Home Star program will create 168,000 new jobs here in the United States.

Madam Chair, these jobs are desperately needed as our national unemployment rate has recently hit the 10 percent mark. This legislation would stipulate that construction jobs cannot be outsourced and more than 90 percent of the energy efficiency technologies approved by this bill are also manufactured right here in the United States.

This legislation will also save consumers money and cut pollution. By ensuring that more American homes and businesses are retrofitted with these new energy efficient appliances and fixtures we will be working proactively to cut greenhouse gases and reduce unnecessary use of our vital energy resources. Furthermore, this bill would also help us in our goal of achieving energy independence by further reducing our demand for foreign oil and fossil fuels.

The Home Star program proposed in this bill is authorized at \$6 billion—however, H.R. 5019 will not include any appropriated funds. In other words, Madam Chair, this bill does not affect direct spending or revenue and will not hurt the American taxpayer.

I stand today with Representative PETER WELCH and other Members of Congress in reaffirming our support for energy efficiency in our nation. I also stand with my fellow members of the Renewable Energy and Energy Efficiency Caucus in supporting this bipartisan legislation. By enacting these types of economic incentives for consumers our nation will be cleaner, more efficient and will have lower levels of unemployment.

I ask my colleagues for their support of H.R. 5019, as well as for their continued support of green technology and the unemployed in our nation. By increasing our support for these types of programs we will ensure that our country remains a leader in energy efficient technology.

Madam Chair, I ask my colleagues to join me in supporting H.R. 5019.

Ms. RICHARDSON. Madam Chair, I rise today in strong support of H.R. 5019, the "Home Star Energy Retrofit Act of 2010." I am a proud cosponsor of this important legislation, which will create thousands of good paying jobs, help millions of consumers and families, and make our nation more energy efficient and independent. This bill is good for business, good for labor, good for families, and good for America. It is little wonder that it enjoys broad based and bipartisan support.

I thank Chairman WAXMAN for his leadership in bringing this bill to the floor. I also thank the sponsor of this legislation, Congressman WELCH, for recognizing the positive effect that home energy retrofitting can have on our economy, our energy supply, and our planet.

Madam Chair, our nation faces a serious energy crisis. We must adopt a comprehensive energy strategy that weans us off of our dependence on foreign oil and ensures our nation's long term prosperity. This strategy has to include becoming more efficient in our everyday use of energy, and that starts in our homes.

H.R. 5019 will spur home retrofits by offering rebates to homeowners who install energy saving products, such as insulation, duct sealing, air sealing, water heaters, and windows. Retrofitting will save homeowners \$9.2 million on their energy bills over the next 10 years. Additionally, investing in the green economy creates jobs. This bill will create 168,000 new jobs by restarting the assembly lines that produce energy-saving devices and creating a demand for home construction and installations. Construction and installation jobs cannot be shipped overseas and 90 percent of energy efficiency technologies are manufactured here in the United States.

As importantly, this legislation will help the individuals in this country who are the most vulnerable. I know individuals in my Congressional district and across the country are struggling to pay their bills as energy costs skyrocket. Many do not know how long they will be able to afford hot water, heat for the winter, or cold air to make stifling summers bearable. This bill will lower energy costs for those individuals and help them ensure that they can afford safe and decent living conditions for themselves and their families.

This bill is supported by a wide-ranging coalition of religious, conservation, and pro-growth groups. H.R. 5019 is the right thing to do for our economy, our environment, and our communities. I urge my colleagues to join me in supporting H.R. 5019.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chair, I rise today in support of H.R. 5019, the Home Star Energy Retrofit Act of 2010.

The best way to lower energy costs is to make homes, buildings, vehicles, and infrastructure more energy efficient. Providing American homeowners with incentives to improve the energy efficiency in their homes is a straightforward concept that will spur job growth, protect our environment, and lower residential energy costs.

We must revolutionize our economy and energy infrastructure in order to become more efficient. The growing "Green Economy" presents an opportunity to create large numbers of quality, green-collar jobs for American workers to grow emerging industries and to improve the health of low- and middle-income

Americans. Specifically, Home Star will create 168,000 new jobs in an effort to jump start our Nation's struggling economy.

As the cost of energy continues to spiral out of control, Home Star presents a common-sense approach to mitigate costs to American homeowners. During extreme weather conditions, people living in poverty and the low-income elderly shouldn't be overburdened by the cost of energy to heat and cool their homes or the cost to provide food for themselves and their families. This legislation is another, positive step for America in the road towards economic recovery.

Madam Chair, Dallas is ready for this opportunity to make cost-effective investments to rebuild and retrofit our community and our Nation. I urge my colleagues to join me in supporting the Home Star Energy Retrofit Act of 2010.

Mr. MARKEY of Massachusetts. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 5019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Home Star Energy Retrofit Act of 2010".

SEC. 2. DEFINITIONS.

In this Act:

(1) ACCREDITED CONTRACTOR.—The term "accredited contractor" means a qualified contractor—

- (A) that is accredited—
- (i) by the BPI; or

(ii) under other standards approved by the Secretary, in consultation with the Administrator; and

(B) effective 1 year after the date of enactment of this Act, that uses a certified workforce.

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(3) BPI.—The term "BPI" means the Building Performance Institute.

(4) CERTIFIED WORKFORCE.—The term "certified workforce" means a residential energy efficiency construction workforce in which all employees performing installation work are certified in the appropriate job skills under—

(A) an applicable third party skills standard established by—

- (i) BPI;
- (ii) North American Technician Excellence;
- (iii) the Laborers' International Union of North America;

(B) an applicable third party skills standard established in the State in which the work is to be performed, pursuant to a program operated by the Home Builders Institute in connection with Ferris State University, to be effective 30 days after notice is provided by those organizations to the Secretary that such program has been established in such State, except to the extent that the Secretary determines within 30 days of such notice that the standard or certification is incomplete; or

(C) other standards approved by the Secretary, in consultation with the Secretary of Labor and the Administrator.

(5) CONDITIONED SPACE.—The term "conditioned space" means the area of a home that is—

(A) intended for habitation; and

(B) intentionally heated or cooled.

(6) DOE.—The term "DOE" means the Department of Energy.

(7) ELECTRIC UTILITY.—The term "electric utility" means any person, State agency, rural electric cooperative, municipality, or other governmental entity that delivers or sells electric energy at retail, including nonregulated utilities and utilities that are subject to State regulation and Federal power marketing administrations.

(8) EPA.—The term "EPA" means the Environmental Protection Agency.

(9) FEDERAL REBATE PROCESSING SYSTEM.—The term "Federal Rebate Processing System" means the Federal Rebate Processing System established under section 101(b).

(10) GOLD STAR HOME ENERGY RETROFIT PROGRAM.—The term "Gold Star Home Energy Retrofit Program" means the Gold Star Home Energy Retrofit Program established under section 104.

(11) HOME.—The term "home" means a principal residential dwelling unit in a building with no more than 4 dwelling units that—

(A) is located in the United States; and

(B) was constructed before the date of enactment of this Act.

(12) HOME STAR LOAN PROGRAM.—The term "Home Star Loan Program" means the Home Star Energy Efficiency Loan Program established under section 111.

(13) INDIAN TRIBE.—The term "Indian tribe" has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(14) NATIONAL HOME PERFORMANCE COUNCIL.—The term "National Home Performance Council" means the National Home Performance Council, Inc.

(15) NATURAL GAS UTILITY.—The term "natural gas utility" means any person or State agency that transports, distributes, or sells natural gas at retail, including nonregulated utilities and utilities that are subject to State regulation.

(16) QUALIFIED CONTRACTOR.—The term "qualified contractor" means a residential energy efficiency contractor meeting minimum applicable requirements as determined under section 101(c).

(17) QUALITY ASSURANCE FRAMEWORK.—The term "quality assurance framework" means a policy structure adopted by a State to develop high standards for ensuring quality in ongoing energy efficiency retrofit activities in which the State has a role, including operation of the quality assurance program, while creating significant employment opportunities, in particular for targeted workers.

(18) QUALITY ASSURANCE PROGRAM.—

(A) IN GENERAL.—The term "quality assurance program" means a program authorized under this Act to oversee the delivery of home energy efficiency retrofit programs to ensure that work is performed in accordance with standards and criteria established under this Act.

(B) INCLUSIONS.—For purposes of subparagraph (A), delivery of retrofit programs includes field inspections required under this Act, with the consent of participating consumers and without delaying rebate payments to participating contractors and vendors.

(19) QUALITY ASSURANCE PROVIDER.—

(A) IN GENERAL.—The term "quality assurance provider" means any entity that is authorized pursuant to this Act to perform field inspections and other measures required to confirm the compliance of retrofit work with the requirements of this Act.

(B) CERTIFICATION REQUIREMENT.—To be considered a quality assurance provider under this paragraph, an entity shall be certified through—

- (i) the International Code Council;
- (ii) the BPI;
- (iii) the RESNET;
- (iv) a State;

(v) a State-approved residential energy efficiency retrofit program; or

(vi) any other entity designated for such purpose by the Secretary, in consultation with the Administrator.

(20) REBATE AGGREGATOR.—The term "rebate aggregator" means an entity that meets the requirements of section 102.

(21) RESNET.—The term "RESNET" means the Residential Energy Services Network.

(22) SECRETARY.—The term "Secretary" means the Secretary of Energy.

(23) SILVER STAR HOME ENERGY RETROFIT PROGRAM.—The term "Silver Star Home Energy Retrofit Program" means the Silver Star Home Energy Retrofit Program established under section 103.

(24) STATE.—The term "State" means—

- (A) a State;
- (B) the District of Columbia;
- (C) the Commonwealth of Puerto Rico;
- (D) Guam;
- (E) American Samoa;
- (F) the United States Virgin Islands;
- (G) the Northern Mariana Islands; and
- (H) any other commonwealth, territory, or possession of the United States.

(25) TARGETED WORKER.—The term "targeted worker" means an individual who is unemployed or underemployed and of an employable age and a resident of an area with high or chronic unemployment and low median household incomes, as defined by the Secretary in consultation with the Secretary of Labor.

(26) WATER UTILITY.—The term "water utility" means any State or local agency that delivers or sells water at wholesale or retail through an engineered distribution system.

TITLE I—HOME STAR RETROFIT REBATE PROGRAM

SEC. 101. HOME STAR RETROFIT REBATE PROGRAM.

(a) IN GENERAL.—The Secretary shall establish the Home Star Retrofit Rebate Program.

(b) FEDERAL REBATE PROCESSING SYSTEM.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of the Treasury and the Administrator, shall—

(A) establish a Federal Rebate Processing System which shall serve as a database and information technology system to allow rebate aggregators to submit claims for reimbursement using standard data protocols;

(B) establish a national retrofit website that provides information on the Home Star Retrofit Rebate Program, including how to determine whether particular energy efficiency measures are eligible for rebate and how to participate in the program; and

(C) publish model forms and data protocols for use by contractors, vendors, and quality assurance providers to comply with the requirements of this title.

(2) MODEL CERTIFICATION FORMS.—In carrying out this section, the Secretary shall consider the model certification forms developed by the National Home Performance Council.

(c) QUALIFIED CONTRACTOR REQUIREMENTS.—A qualified contractor may perform retrofit work for which rebates are authorized under this title only if it executes a Home Star participation agreement with a rebate aggregator affirming that it meets applicable requirements, including—

(1) all applicable State contractor licensing requirements or, with respect to a State that has no such requirements, any appropriate comparable requirements established under paragraph (6);

(2) insurance coverage of at least \$1,000,000 for general liability, and for such other purposes and in such other amounts as may be required by the State;

(3) agreeing to provide warranties to homeowners that completed work will—

- (A) be free of significant defects;

(B) be installed in accordance with the specifications of the manufacturer; and

(C) perform properly for a period of at least 1 year after the date of completion of the work;

(4) agreeing to pass through to the owner of a home, through a discount, the full economic value of all rebates received under this title with respect to the home;

(5) agreeing to provide to the homeowner a notice of—

(A) the amount of the rebate the contractor intends to apply for with respect to the eligible work under this title, before a contract is executed between the contractor and a homeowner covering the eligible work; and

(B) the means by which the rebate will be passed through as a discount to the homeowner; (6) all requirements of an applicable State quality assurance framework by and after the date that is one year after the date of enactment of this Act; and

(7) any other appropriate requirements as determined by the Secretary, in consultation with the Administrator.

(d) ADMINISTRATIVE AND TECHNICAL SUPPORT.—Subject to section 112(b) and (c), beginning not later than 30 days after the date of enactment of this Act, the Secretary shall provide such administrative and technical support to rebate aggregators and States as is necessary to carry out this title.

(e) ADMINISTRATION.—

(1) APPOINTMENT OF PERSONNEL.—Notwithstanding the provisions of title 5, United States Code, governing appointments in the competitive service and General Schedule classifications and pay rates, the Secretary may appoint such professional and administrative personnel as the Secretary considers necessary to carry out this title.

(2) RATE OF PAY.—The rate of pay for a person appointed under paragraph (1) shall not exceed the maximum rate payable for GS-15 of the General Schedule under chapter 53 of title 5, United States Code.

(3) CONSULTANTS.—Notwithstanding section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253), the Secretary may retain such consultants on a non-competitive basis as the Secretary considers necessary to carry out this title.

(4) CONTRACTING.—In carrying out this title, the Secretary may waive all or part of any provision of the Competition in Contracting Act of 1984 (Public Law 98-369; 98 Stat. 1175), an amendment made by that Act, or the Federal Acquisition Regulation on a determination that circumstances make compliance with the provisions contrary to the public interest.

(5) REGULATIONS.—

(A) IN GENERAL.—Notwithstanding section 553 of title 5, United States Code, the Secretary may issue regulations that the Secretary, in the sole discretion of the Secretary, determines necessary to—

(i) establish;

(ii) achieve full operational status within 60 days after the date of enactment of this Act for;

or

(iii) carry out,

the Home Star Retrofit Rebate Program.

(B) TIMING.—If the Secretary determines that regulations described in subparagraph (A) are necessary, the regulations shall be issued not later than 60 days after such determination.

(C) EXCEPTION.—(i) The Secretary shall not utilize the authority provided under this paragraph to—

(I) develop, adopt, or implement a public labeling system that rates and compares the energy performance of one home with another; or

(II) require the public disclosure of an energy performance evaluation or rating developed for any specific home.

(ii) Nothing in this subparagraph shall preclude—

(I) the computation, collection, or use, by the Secretary, rebate aggregators, quality assurance

providers, or States for the purposes of carrying out sections 104 and 105, of information on the rating and comparison of the energy performance of homes with and without energy efficiency features or on energy performance evaluation or rating;

(II) the use and publication of aggregate data (without identifying individual homes or participants) based on information referred to in subclause (I) to determine or demonstrate the performance of the Home Star program; or

(III) the provision of information referred to in subclause (I) with respect to a specific home—

(aa) to the State, homeowner, quality assurance provider, rebate aggregator, or contractor performing retrofit work on that home, or an entity providing Home Star services, as necessary to enable carrying out this title; or

(bb) for purposes of prosecuting fraud and abuse.

(6) INFORMATION COLLECTION.—Chapter 35 of title 44, United States Code, shall not apply to any information collection requirement necessary for the implementation of the Home Star Retrofit Rebate Program.

(7) EFFECTIVE PERIOD.—Paragraphs (1), (3), (4), (5), and (6) shall be effective only for fiscal years 2010 and 2011.

(f) PROGRAM REVIEW.—Not later than 180 days after the date of enactment of this Act, the Secretary shall prepare and transmit to Congress a State-by-State analysis and review the distribution of Home Star retrofit rebates under this title.

(g) ADJUSTMENT OF REBATE AMOUNTS.—Effective beginning on the date that is 180 days after the date of enactment of this Act, the Secretary may, after not less than 30 days public notice, prospectively adjust the rebate amounts provided for under this title as necessary to optimize the overall energy efficiency resulting from the Silver Star Home Energy Retrofit Program and the Gold Star Home Energy Retrofit Program.

(h) INDIAN TRIBE PARTICIPATION.—

(1) IN GENERAL.—An Indian tribe, within 30 days after the date of enactment of this Act, may indicate to the Secretary its intention to act in place of a State for purposes of carrying out the responsibilities of the State under this title with respect to its tribal lands. If the Indian tribe so indicates, the Secretary shall treat the Indian tribe as the State for purposes of carrying out this title with respect to those tribal lands.

(2) TRANSITION OF RESPONSIBILITIES.—The Secretary may permit an Indian tribe, after the expiration of 30 days after the date of enactment of this Act, to assume the responsibilities of a State under this title with respect to its tribal lands if the Secretary finds that such assumption of responsibilities will not disrupt the ongoing administration of the program under this title.

(3) COOPERATION.—An Indian tribe may cooperate with a State or the Secretary to ensure that all of the requirements of this title are carried out with respect to the tribal lands.

(i) IMPLEMENTATION BY SECRETARY.—

(1) IN GENERAL.—If a State has not indicated to the Secretary within 30 days after the date of enactment of this Act that it is prepared to carry out section 105, or if at any later time the Secretary determines that a State is no longer prepared to carry out section 105, to the extent that no Indian tribe assumes such responsibilities under subsection (h) the Secretary shall assume the responsibilities of that State with respect to carrying out section 105.

(2) TRANSITION OF RESPONSIBILITIES.—The Secretary may permit a State, after the Secretary has assumed the responsibilities of that State under paragraph (1), to assume the responsibilities assigned to States under section 105 with respect to that State if the Secretary finds that such assumption of responsibilities will not disrupt the ongoing administration of the program under this title.

(j) LIMITATION.—Rebates may not be provided under both section 103 and section 104 with respect to the same home.

(k) FORMS FOR CERTIFICATION AND QUALITY ASSURANCE.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall make available on the website established under subsection (b)(1)(B), model certification forms for compliance with quality assurance requirements under this title, to be submitted by—

(A) each qualified contractor, accredited contractor, and quality assurance provider on completion of an eligible home energy retrofit; and

(B) each quality assurance provider on completion of field verification required under this section.

(2) NATIONAL HOME PERFORMANCE COUNCIL.—The Secretary, States, and Indian tribes shall consider and may use model certification forms developed by the National Home Performance Council to ensure compliance with quality assurance requirements under this title.

(l) PUBLIC-PRIVATE PARTNERSHIPS.—A State that receives a grant under this title is encouraged to form partnerships with utilities, energy service companies, and other entities—

(1) to assist in marketing the Home Star Retrofit Rebate Program;

(2) to facilitate consumer financing;

(3) to assist in implementation of the Silver Star Home Energy Retrofit Program and the Gold Star Home Energy Retrofit Program, including installation of qualified energy retrofit measures; and

(4) to assist in implementing quality assurance programs.

(m) COORDINATION OF REBATE AND EXISTING STATE-SPONSORED PROGRAMS.—

(1) IN GENERAL.—A State shall, to the maximum extent practicable, prevent duplication through coordination of a program authorized under this title with—

(A) the Energy Star appliance rebates program authorized under section 124 of the Energy Policy Act of 2005 (42 U.S.C. 15821), and any other Federal programs that provide funds to States for home or appliance energy efficiency purposes; and

(B) comparable programs planned or operated by States, political subdivisions, electric and natural gas utilities, Federal power marketing administrations, and Indian tribes.

(2) EXISTING PROGRAMS.—In carrying out this subsection, a State shall—

(A) give priority to—

(i) comprehensive retrofit programs in existence on the date of enactment of this Act, including programs under the supervision of State utility regulators; and

(ii) using funds made available under this title to enhance and extend existing programs; and

(B) seek to enhance and extend existing programs by coordinating with administrators of the programs.

(n) HEALTH AND SAFETY REQUIREMENTS.—Nothing in this title shall relieve any contractor from the obligation to comply with applicable Federal, State, and local health and safety code requirements.

SEC. 102. REBATE AGGREGATORS.

(a) IN GENERAL.—The Secretary shall develop a network of rebate aggregators that can facilitate the delivery of rebates to participating contractors and vendors, to reimburse those contractors and vendors for discounts provided to homeowners for energy efficiency retrofit work. The Secretary shall approve or deny an application from a person seeking to become a rebate aggregator not later than 30 days after receiving such application. The Secretary may disqualify any rebate aggregator that fails to meet its obligations under this title in a timely and competent manner.

(b) AVAILABILITY.—Not later than 30 days after the date of enactment of this Act, the Secretary shall identify at least 1 rebate aggregator

in each State ready and able to accept rebate applications from any qualified contractor. Not later than 90 days after such date of enactment, the Secretary shall ensure that rebate aggregation services are available to all homeowners in the United States at the lowest reasonable cost.

(c) **RESPONSIBILITIES.**—Rebate aggregators shall—

(1) review each proposed rebate application for completeness and accuracy;

(2) review all measures for which rebates are sought for eligibility in accordance with this title;

(3) provide data to the Secretary for inclusion in the database maintained through the Federal Rebate Processing System, consistent with data protocols established by the Secretary;

(4) not later than 30 days after the date of receipt, distribute funds received from the Secretary to contractors, vendors, or other persons in accordance with approved claims for reimbursement made to the Federal Rebate Processing System;

(5) maintain appropriate accounting for rebate applications processed, and their disposition;

(6) review contractor qualifications and accreditation and retain documentation of such qualification and accreditation, as required for contractors to be authorized to perform residential energy efficiency retrofit work under this title; and

(7) maintain information regarding contractors' fulfillment of the requirements of section 101(c).

(d) **ELIGIBILITY.**—To be eligible to apply to the Secretary for approval as a rebate aggregator, an entity—

(1) shall be—

(A) a Home Performance with Energy Star partner;

(B) an entity administering a residential energy efficiency retrofit program established or approved by a State;

(C) a Federal power marketing administration or the Tennessee Valley Authority;

(D) an electric utility, natural gas utility, or water utility administering or offering a residential energy efficiency retrofit program; or

(E) an entity—

(i) with corporate status or status as a State or local government;

(ii) who can demonstrate adequate financial capability to manage a rebate aggregator program, as evidenced by audited financial records; and

(iii) whose participation in the program, in the judgment of the Secretary, would not disrupt existing residential retrofit programs in the States that are carrying out the Home Star Retrofit Rebate Program under this title;

(2) must be able to demonstrate—

(A) a relationship with 1 or more independent quality assurance providers that is sufficient to meet the volume of contracting services delivered;

(B) the capability to provide such electronic data as is required by the Secretary to the Federal Rebate Processing System; and

(C) a financial system that is capable of tracking the distribution of rebates to participating contractors and vendors; and

(3) shall include in its application the amount it proposes to charge for the review and processing of a rebate under this title.

(e) **PROMPT PROCESSING OF REBATES.**—Within 10 days after receiving an application for a rebate consistent with this title, a rebate aggregator shall submit a claim for that rebate to the Federal Rebate Processing System. Within 10 days after the Federal Rebate Processing System receives such a submission from a rebate aggregator, the Secretary shall provide the funds to the rebate aggregator necessary to pay such rebates to the qualified contractor or vendor who applied for them and to compensate the rebate aggregator for its services in accordance with this title. Within 10 days of being provided

such funds, the rebate aggregator shall pay the rebates to the rebate applicant.

(f) **PUBLIC UTILITY COMMISSION EFFICIENCY TARGETS.**—The Secretary shall—

(1) develop guidelines for States to use to allow utilities participating as rebate aggregators to count the energy savings from their participation toward State-level energy savings targets; and

(2) work with States to assist in the adoption of these guidelines for the purposes and duration of the Home Star Retrofit Rebate Program.

SEC. 103. SILVER STAR HOME ENERGY RETROFIT PROGRAM.

(a) **IN GENERAL.**—During the first year after the date of enactment of this Act, a Silver Star Home Energy Retrofit Program rebate shall be awarded, subject to the maximum amount limitations under subsection (d)(4), to participating contractors and vendors, to reimburse them for discounts provided to the owner of the home for the retrofit work, for the installation of energy savings measures—

(1) selected from the list of energy savings measures described in subsection (b);

(2) installed after the date of enactment of this Act in the home by a qualified contractor; and

(3) carried out in compliance with this section.

(b) **ENERGY SAVINGS MEASURES.**—Subject to subsection (c), a rebate shall be awarded under subsection (a) for the installation of the following energy savings measures for a home energy retrofit that meet technical standards established under this section:

(1) Whole house air sealing measures, including interior and exterior measures, utilizing sealants, caulks, polyurethane foams, gaskets, weather-stripping, mastics, and other building materials in accordance with BPI standards or other procedures approved by the Secretary.

(2) Attic insulation measures that—

(A) include sealing of air leakage between the attic and the conditioned space, in accordance with BPI standards or the attic portions of the DOE or EPA thermal bypass checklist or other procedures approved by the Secretary;

(B) add at least R-19 insulation to existing insulation;

(C) result in at least R-38 insulation in DOE climate zones 1 through 4 and at least R-49 insulation in DOE climate zones 5 through 8, including existing insulation, within the limits of structural capacity; and

(D) cover at least—

(i) 100 percent of an accessible attic; or

(ii) 75 percent of the total conditioned footprint of the house.

(3) Duct seal or replacement that—

(A) is installed in accordance with BPI standards or other procedures approved by the Secretary; and

(B) in the case of duct replacement, replaces at least 50 percent of a distribution system of the house.

(4) Wall insulation that—

(A) is installed in accordance with BPI standards or other procedures approved by the Secretary;

(B) is to full-stud thickness; and

(C) covers at least 75 percent of the total external wall area of the house.

(5) Crawl space insulation or basement wall and rim joist insulation that is installed in accordance with BPI standards or other procedures approved by the Secretary and—

(A) covers at least 500 square feet of crawl space or basement wall and adds at least—

(i) R-19 of cavity insulation or R-15 of continuous insulation to existing crawl space insulation; or

(ii) R-13 of cavity insulation or R-10 of continuous insulation to basement walls; and

(B) fully covers the rim joist with at least R-10 of new continuous or R-13 of cavity insulation.

(6) Window replacement that replaces at least 8 exterior windows or skylights, or 75 percent of

the exterior windows and skylights in a home, whichever is less, with—

(A) windows that—

(i) are certified by the National Fenestration Rating Council; and

(ii) comply with criteria applicable to windows and skylights under section 25(c) of the Internal Revenue Code of 1986; or

(B) skylights that comply with the 2010 Energy Star specification for skylights.

(7) Door replacement that replaces at least 1 exterior door with doors that comply with the 2010 Energy Star specification for doors.

(8)(A) Heating system replacement of—

(i) a natural gas or propane furnace with a furnace that has an AFUE rating of 92 or greater;

(ii) a natural gas or propane boiler with a boiler that has an AFUE rating of 90 or greater;

(iii) an oil furnace with a furnace that has an AFUE rating of 86 or greater and that uses an electrically commutated blower motor;

(iv) an oil boiler with a boiler that has an AFUE rating of 86 or greater and that has temperature reset or thermal purge controls; or

(v) a wood or wood pellet furnace, boiler, or stove, if—

(I) the new system—

(aa) meets at least 75 percent of the heating demands of the home;

(bb) in the case of a furnace or boiler, has a distribution system (such as ducts or vents) that allows heat to reach all or most parts of the home and qualifies for Phase 2 of the EPA Voluntary Program for Hydronic Heaters; and

(cc) in the case of a stove, replaces an existing wood or wood pellet stove and is certified by the EPA, and a voucher is provided by the installer or other responsible party certifying that the old stove has been removed and rendered inoperable or recycled at an appropriate recycling facility; and

(II) an accredited independent laboratory recognized by the EPA certifies that the new system—

(aa) has thermal efficiency (lower heating value) of at least 75 percent for stoves and at least 90 percent for furnaces and boilers; and

(bb) has particulate emissions of less than 3.0 grams per hour for stoves, and less than 0.32 lbs/mmBTU for furnaces and boilers.

(B) A rebate may be provided under this section for the replacement of a furnace or boiler described in clauses (i) through (iv) of subparagraph (A) only if the new furnace or boiler is installed in accordance with ANSI/ACCA Standard 5 QI-2007.

(9) Air conditioner or air-source heat pump replacement with a new unit that—

(A) is installed in accordance with ANSI/ACCA Standard 5 QI-2007; and

(B) meets or exceeds—

(i) in the case of an air conditioner, SEER 16 and EER 13; and

(ii) in the case of an air-source heat pump, SEER 15, EER 12.5, and HSPF 8.5.

(10) Heating or cooling system replacement with an Energy Star qualified geothermal heat pump that meets Tier 2 efficiency requirements and that is installed in accordance with ANSI/ACCA Standard 5 QI-2007.

(11) Replacement of a natural gas, propane, or electric water heater with—

(A) a natural gas or propane condensing storage water heater with an energy factor of 0.80 or more or a thermal efficiency of 90 percent or more;

(B) a tankless natural gas or propane water heater with an energy factor of at least .82;

(C) a natural gas or propane storage water heater with an energy factor of at least .67;

(D) an indirect water heater with an insulated storage tank that—

(i) has a storage capacity of at least 30 gallons and is insulated to at least R-16; and

(ii) is installed in conjunction with a qualifying boiler described in paragraph (8);

(E) an electric water heater with an energy factor of 2.0 or more;

(F) an electric tankless water heater with an efficiency factor of .96 or more, that operates on not greater than 25 kilowatts;

(G) a solar hot water system that—

(i) is certified by the Solar Rating and Certification Corporation; or

(ii) meets technical standards established by the State of Hawaii; or

(H) a water heater installed in conjunction with a qualifying geothermal heat pump described in paragraph (10) that provides domestic water heating through the use of a desuperheater or demand water heating capability.

(12) Storm windows that—

(A) are installed on at least 5 existing single-glazed windows that do not have storm windows;

(B) are installed in a home listed on or eligible for listing in the National Register of Historic Places; and

(C) comply with any procedures that the Secretary may set for storm windows and their installation.

(13) Window film that is installed on at least 8 exterior windows, doors, or skylights, or 75 percent of the total exterior square footage of glass in a home, whichever is less, with window films that—

(A) are certified by the National Fenestration Rating Council; and

(B) have—

(i) a solar heat gain coefficient of 0.43 or less with a visible light-to-solar heat gain coefficient of at least 1.1 in 2009 International Energy Conservation Code climate zones 1–3; or

(ii) a solar heat gain coefficient of 0.43 or less with a visible light-to-solar heat gain coefficient of at least 1.1 and a U-factor of 0.40 or less as installed in 2009 International Energy Conservation Code climate zones 4–8.

(c) **INSTALLATION COSTS.**—Measures described in paragraphs (1) through (13) of subsection (b) shall include expenditures for labor and other installation-related costs, including venting system modification and condensate disposal, properly allocable to the onsite preparation, assembly, or original installation of the component.

(d) **AMOUNT OF REBATE.**—

(1) **IN GENERAL.**—Except as provided in paragraphs (2) through (4), the amount of a rebate provided under subsection (a) shall be \$1,000 per measure for the installation of energy savings measures described in subsection (b).

(2) **HIGHER REBATE AMOUNT.**—Except as provided in paragraph (4), the amount of a rebate provided under subsection (a) shall be \$1,500 per measure for—

(A) attic insulation and air sealing described in subsection (b)(1) or (2); and

(B) wall insulation described in subsection (b)(4).

(3) **LOWER REBATE AMOUNT.**—Except as provided in paragraph (4), the amount of a rebate provided under subsection (a) shall be—

(A) \$125 per door for the installation of up to a maximum of 2 Energy Star doors described in subsection (b)(7) for each home;

(B) \$250 for a maximum of 1 natural gas or propane storage water heater described in subsection (b)(11)(C) for each home;

(C) \$250 for rim joist insulation described in subsection (b)(5)(B);

(D) \$50 for each storm window described in subsection (b)(12), with a minimum of 5 storm windows and a maximum of 12;

(E) \$250 each for a maximum of 4 electric tankless water heaters described in subsection (b)(11)(F) for each home; and

(F) \$500 for window film described in subsection (b)(13).

(4) **MAXIMUM AMOUNT.**—The total amount of rebates provided for a home under this section shall not exceed the lower of—

(A) \$3,000;

(B) 50 percent of the total cost of the installed measures; or

(C) if the Secretary finds that the net value to the homeowner of the rebates, as a function of

the discount the contractor or vendor provides to the homeowner for the installed measures, is less than the amount of the rebates, the actual net value to the homeowner.

(e) **VERIFICATION AND CORRECTION OF WORK.**—

(1) **REIMBURSEMENT.**—On submission of a claim by a rebate aggregator to the Federal Rebate Processing System, the Secretary shall provide reimbursement to the rebate aggregator for energy-efficiency measures installed in a home, subject to paragraphs (2) and (3).

(2) **VERIFICATION.**—

(A) **PERCENTAGE OF RETROFITS VERIFIED.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), not less than—

(I) 20 percent of the retrofits performed by each qualified contractor under this section with respect to a rebate described in subsection (a) shall be randomly subject to field verification by an independent quality assurance provider of all work associated with the retrofit; and

(II) in the case of a qualified contractor that uses a certified workforce, 10 percent of the retrofits performed by that contractor under this section with respect to a rebate described in subsection (a) shall be randomly subject to field verification by an independent quality assurance provider of all work associated with the retrofit.

(ii) **EXCEPTIONS.**—In the case of a qualified contractor whose previous retrofit work—

(I) the Secretary has found to fail to comply with the requirements of this section, the Secretary may establish a higher percentage of the retrofits performed by that contractor under this section with respect to a rebate described in subsection (a) to be subject to field verification by an independent quality assurance provider; and

(II) the Secretary has found to successfully comply with the requirements of this section, the Secretary may establish a lower percentage of the retrofits performed by that contractor under this section with respect to a rebate described in subsection (a) to be subject to field verification by an independent quality assurance provider.

(B) **HOMEOWNER COMPLAINT.**—A homeowner may make a complaint under the quality assurance program that compliance with the quality assurance requirements of this title has not been achieved. The quality assurance program shall provide that, upon receiving such a complaint, an independent quality assurance provider shall conduct field verification on the retrofit work performed by the contractor. Verifications under this subparagraph shall be in addition to those conducted under subparagraph (A), and shall be corrected in accordance with paragraph (3).

(3) **CORRECTION.**—Rebates under subsection (a) shall be made subject to the following conditions:

(A) The installed measures will comply with the specifications and quality standards under this section if a field verification by a quality assurance provider finds that corrective work is needed. Such compliance shall be achieved by the installing accredited contractor not later than 14 days after the date of notification of a defect pursuant to a warranty, provided at no additional cost to the homeowner.

(B) A subsequent quality assurance visit shall be conducted to evaluate the remedy not later than 7 days after notification that the defect has been corrected.

(C) The quality assurance provider shall notify the contractor of the disposition of such visit not later than 7 days after the date of the visit.

(4) **ACCESS TO HOME.**—In order to be eligible for a discount from a contractor or vendor for which a rebate is provided under subsection (a), a homeowner shall agree to permit such access to the home, upon reasonable notice and at a mutually convenient time, as is necessary to verify and correct retrofit work.

(f) **PRODUCTS PURCHASED WITHOUT INSTALLATION SERVICES.**—

(1) **IN GENERAL.**—A Silver Star Home Energy Retrofit Program rebate shall be awarded for attic, wall, and crawl space insulation and air-sealing products that—

(A)(i) in the case of insulation, qualify for a tax credit under section 25C of the Internal Revenue Code of 1986, but with respect to which no claim for such a tax credit has been made; and

(ii) in the case of air sealing products, are sealants, caulks, polyurethane foams, gaskets, weather-stripping, mastics, or other air sealing products described in subsection (b)(1);

(B) are purchased by a homeowner for installation by the homeowner in a home identified by its address by the homeowner;

(C) are accompanied by educational materials on proper installation of the products, including materials emphasizing the importance of air sealing when insulating; and

(D) are identified and attributed to that home in a rebate submission by the vendor to a rebate aggregator.

(2) **LIMITATION.**—No rebate may be provided under this subsection with respect to insulation or products that are employed in energy-efficiency measures with respect to which a rebate is provided under this section or section 104.

(3) **AMOUNT OF REBATE.**—A rebate under this subsection shall be awarded for 50 percent of the total cost of the products described in paragraph (1), not to exceed \$250 per home.

(g) **REVIEW.**—

(1) **IN GENERAL.**—The Secretary shall determine whether information submitted to the Federal Rebate Processing System with respect to a rebate was complete, and on the basis of that information and other information available to the Secretary, shall determine whether the requirements of this section were met in all respects.

(2) **INCORRECT PAYMENT.**—On a determination of the Secretary under paragraph (1) that a payment was made incorrectly to a party, or that sufficient information was not submitted to the Federal Rebate Processing System to enable such determination, the Secretary—

(A) may—

(i) recoup the amount of the incorrect payment; or

(ii) withhold the amount of the incorrect payment from a payment made to the party pursuant to a subsequent request; and

(B) shall, to the extent the Secretary determines the benefit of the rebate was not passed through to the homeowner through a discount on the price of the retrofit work, order the contractor or vendor to pay the amount of rebate benefit not previously passed through to the homeowner.

SEC. 104. GOLD STAR HOME ENERGY RETROFIT PROGRAM.

(a) **IN GENERAL.**—A Gold Star Home Energy Retrofit Program rebate shall be awarded, subject to subsection (b), to participating accredited contractors and vendors, to reimburse them for discounts provided to the owner of the home for the retrofit work, for retrofits that achieve whole home energy savings carried out after the date of enactment of this Act in accordance with this section.

(b) **ELIGIBLE MEASURES.**—Rebates may be provided under this section for—

(1) any measure listed as eligible for Silver Star rebates in section 103; and

(2) any other energy-saving measure, such as home energy management systems, high-efficiency appliances, highly reflective roofing, awnings, canopies, and similar external fenestration attachments, automatic boiler water temperature controllers, and mechanical air circulation and heat exchangers in a passive-solar home—

(A) that can be demonstrated, when installed and operated as intended, to improve energy efficiency; and

(B) for which an energy efficiency contribution can be determined with confidence.

(c) **ENERGY SAVINGS.**—

(1) *IN GENERAL.*—Reductions in whole home energy consumption under this section shall be determined by a comparison of the simulated energy consumption of the home before and after the retrofit of the home.

(2) *DOCUMENTATION.*—The percent improvement in energy consumption of a home under this section shall be documented through—

(A)(i) the use of a whole home simulation software program that has been approved under the Weatherization Assistance Program for Low-Income Persons established under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.); or

(ii) an equivalent performance test established by the Secretary, in consultation with the Administrator; or

(B)(i) the use of a whole home simulation software program that has been approved under RESNET Publication No. 06-001 (or a successor publication approved by the Secretary);

(ii) an equivalent performance test established by the Secretary, in consultation with the Administrator;

(iii) a State-certified equivalent rating network, as specified in IRS Notice 2008-35; or

(iv) a HERS rating system approved or required by the law of the State in which the home is located.

(3) *MONITORING.*—The Secretary—

(A) shall continuously monitor the software programs used for determining rebates under this section; and

(B) may disallow the use of software programs that improperly assess energy savings.

(4) *ASSUMPTIONS AND TESTING.*—The Secretary may—

(A) establish simulation software program assumptions for carrying out paragraph (2);

(B) require compliance with software program performance tests covering—

- (i) mechanical system performance;
- (ii) duct distribution system efficiency;
- (iii) hot water performance; or
- (iv) other measures; and

(C) require the simulation of pre-retrofit energy usage to be determined by metered pre-retrofit energy usage.

(5) *RECOMMENDED MEASURES.*—Software programs used under this subsection shall have the ability at a minimum to assess the savings associated with all the measures for which rebates are specifically provided under the Silver Star Home Energy Retrofit Program.

(d) *AMOUNT OF REBATE.*—Subject to subsection (e)(2), the amount of a rebate provided under this section shall be—

(1) \$3,000 for a 20-percent reduction in whole home energy consumption; and

(2) an additional \$1,000 for each additional 5-percent reduction up to the lower of—

(A) \$8,000; or

(B) 50 percent of the total retrofit cost.

(e) *VERIFICATION AND CORRECTION OF WORK.*—

(1) *REIMBURSEMENT.*—On submission of a claim by a rebate aggregator to the Federal Rebate Processing System, the Secretary shall provide reimbursement to the rebate aggregator for energy-efficiency measures installed in a home, subject to paragraphs (2) and (3).

(2) *VERIFICATION.*—

(A) *IN GENERAL.*—Subject to subparagraph (B), all work conducted in a home as part of a whole-home retrofit by an accredited contractor under this section shall be subject to random field verification by an independent quality assurance provider at a rate of—

(i) 15 percent; or

(ii) in the case of work performed by an accredited contractor using a certified workforce, 10 percent.

(B) *VERIFICATION NOT REQUIRED.*—A home shall not be subject to field verification under subparagraph (A) if—

(i) a post-retrofit home energy rating is conducted by an entity that is an eligible certifier in accordance with—

(1) RESNET Publication No. 06-001 (or a successor publication approved by the Secretary);

(II) a State-certified equivalent rating network, as specified in IRS Notice 2008-35; or

(III) a HERS rating system required by the law of the State in which the home is located;

(ii) the eligible certifier is independent of the accredited contractor in accordance with RESNET Publication No. 06-001 (or a successor publication approved by the Secretary); and

(iii) the rating includes field verification of all measures for which rebates are being provided.

(C) *HOMEOWNER COMPLAINT.*—A homeowner may make a complaint under the quality assurance program that compliance with the quality assurance requirements of this title has not been achieved. The quality assurance program shall provide that, upon receiving such a complaint, an independent quality assurance provider shall conduct field verification on the retrofit work performed by the contractor. Verifications under this subparagraph shall be in addition to those conducted under subparagraph (A), and shall be corrected in accordance with paragraph (3).

(D) *ACCESS TO HOME.*—In order to be eligible for a discount from a contractor or vendor for which a rebate is provided under this section, a homeowner shall agree to permit such access to the home, upon reasonable notice and at a mutually convenient time, as is necessary to verify and correct retrofit work.

(3) *CORRECTION.*—Rebates under this section shall be made subject to the following conditions:

(A) The installed measures will comply with manufacturer and applicable code standards and the specifications and quality standards under this section if a field verification by an independent quality assurance provider finds that corrective work is needed. Such compliance shall be achieved by the installing accredited contractor not later than 14 days after the date of notification of a defect pursuant to a warranty, provided at no additional cost to the homeowner.

(B) A subsequent quality assurance visit shall be conducted to evaluate the remedy not later than 7 days after notification that the defect has been corrected.

(C) The quality assurance provider shall notify the contractor of the disposition of such visit not later than 7 days after the date of the visit.

(f) *REVIEW.*—

(1) *IN GENERAL.*—The Secretary shall determine whether information submitted to the Federal Rebate Processing System with respect to a rebate was complete, and on the basis of that information and other information available to the Secretary, shall determine whether the requirements of this section were met in all respects.

(2) *INCORRECT PAYMENT.*—On a determination of the Secretary under paragraph (1) that a payment was made incorrectly to a party, or that sufficient information was not submitted to the Federal Rebate Processing System to enable such determination, the Secretary—

(A) may—

(i) recoup the amount of the incorrect payment; or

(ii) withhold the amount of the incorrect payment from a payment made to the party pursuant to a subsequent request; and

(B) shall, to the extent the Secretary determines the benefit of the rebate was not passed through to the homeowner through a discount on the price of the retrofit work, order the contractor or vendor to pay the amount of rebate benefit not previously passed through to the homeowner.

SEC. 105. QUALITY ASSURANCE.

(a) *QUALITY ASSURANCE FRAMEWORK.*—

(1) *IN GENERAL.*—States that elect to carry out a quality assurance program pursuant to subsection (b) shall plan, develop, and implement a quality assurance framework. The Secretary

shall promptly solicit the submission of model State quality assurance framework plans consistent with the requirements of this section and, not later than 60 days after the date of enactment of this Act, shall approve one or more such model plans that incorporate nationally consistent high standards for optional use by States. Not later than 180 days after the date of enactment of this Act, each State electing to develop a quality assurance framework shall submit its plan to the Secretary, who shall then approve or reject such plan within 30 days, providing a detailed statement of deficiencies if the plan is rejected. If a State's plan is rejected, that State may resubmit its plan within 30 days.

(2) *IMPLEMENTATION.*—A State shall—

(A) develop a quality assurance framework in consultation with industry stakeholders, including representatives of efficiency program managers, contractors, community and workforce organizations, and environmental, energy efficiency, and labor organizations; and

(B) implement the quality assurance framework not later than one year after the date of enactment of this Act.

(3) *COMPONENTS.*—The quality assurance framework established under this subsection shall include—

(A) minimum standards for accredited contractors, including—

(i) compliance with applicable Federal, State, and local laws;

(ii) use of a certified workforce;

(iii) maintenance of records needed to verify compliance; and

(iv) use of independent contractors only when appropriately classified as such pursuant to Revenue ruling 87-41 and section 530(d) of the Revenue Act of 1978 and relevant State law;

(B) maintenance of a list of accredited contractors;

(C) requirements for maintenance and delivery to the Federal Rebate Processing System of information needed to verify compliance and ensure appropriate compensation for quality assurance providers;

(D) targets and realistic plans for—

(i) the recruitment of minority and women-owned small business enterprises;

(ii) the employment of graduates of training programs that primarily serve targeted workers;

(iii) the employment of targeted workers; and

(iv) the availability of financial assistance under the Home Star Loan Program to—

(I) public use microdata areas that have a poverty rate of 12 percent or more; and

(II) homeowners served by units of local government in jurisdictions that have an unemployment rate that is 2 percent higher than the national unemployment rate;

(E) a plan to link workforce training for energy efficiency retrofits with training for the broader range of skills and occupations in construction or emerging clean energy industries;

(F) quarterly reports to the Secretary on the progress of implementation of the quality assurance framework and its success in meeting its targets and plans; and

(G) maintenance of a list of qualified quality assurance providers and minimum standards for such quality assurance providers.

(4) *NONCOMPLIANCE.*—If the Secretary determines that a State that has elected to implement a quality assurance program, but has failed to plan, develop, or implement a quality assurance framework in accordance with this section, the Secretary shall suspend further grants for State administration pursuant to section 112(b)(1).

(b) *QUALITY ASSURANCE PROGRAMS.*—

(1) *IN GENERAL.*—A State may carry out a quality assurance program—

(A) as part of a State energy conservation plan established under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.);

(B) to be managed by the office or the designee of the office—

(i) that is responsible for the development of the plan under section 362 of that Act (42 U.S.C. 6322); and

(ii) to the maximum extent practicable, that is conducting an existing energy efficiency program; and

(C) in the case of a grant made to an Indian tribe, to be managed by an entity designated by the Indian tribe to carry out a quality assurance program or a national quality assurance program manager.

(2) NONCOMPLIANCE.—If the Secretary determines that a State has not provided or cannot provide adequate oversight over a quality assurance program to ensure compliance with this title, the Secretary may—

(A) withhold further quality assurance funds from the State; and

(B) require that quality assurance providers operating in the State be overseen by a national quality assurance program manager selected by the Secretary.

(3) IMPLEMENTATION.—A State that receives a grant under this title may implement a quality assurance program through the State or an independent quality assurance provider designated by the State, including—

(A) an energy service company;

(B) an electric utility;

(C) a natural gas utility;

(D) an independent administrator designated by the State; or

(E) a unit of local government.

SEC. 106. REPORTS.

(a) IN GENERAL.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on this title—

(1) not later than 1 year after the date of enactment of this Act; and

(2) not later than the earlier of—

(A) 2 years after the date of enactment of this Act; or

(B) December 31, 2012.

(b) CONTENTS.—The report shall include a description of—

(1) the energy savings produced as a result of this title;

(2) the direct and indirect employment created as a result of the programs supported under this title;

(3) the specific entities implementing the energy efficiency programs;

(4) the beneficiaries who received the efficiency improvements;

(5) the manner in which funds provided under this title were used;

(6) the sources (such as mortgage lenders, utility companies, and local governments) and types of financing used by the beneficiaries to finance the retrofit expenses that were not covered by rebates provided under this title; and

(7) the results of verification requirements; and

(8) any other information the Secretary considers appropriate.

(c) REQUIRED INFORMATION.—

(1) REQUIREMENT.—Rebate aggregators and States participating in the Home Star Retrofit Rebate Program shall provide to the Secretary such information as the Secretary requires to prepare the report required under this section.

(2) NONCOMPLIANCE.—If the Secretary determines that a rebate aggregator or State has not provided the information required under paragraph (1), the Secretary shall provide to the rebate aggregator or State a period of at least 90 days to provide the necessary information, subject to withholding of funds or reduction of future grant amounts.

SEC. 107. TREATMENT OF REBATES.

(a) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, rebates received under this title—

(1) shall not be considered taxable income to a homeowner; and

(2) shall supplant any credit allowed under section 25C or 25D of that Code for eligible work performed in the home of the homeowner.

(b) NOTICE.—A participating contractor shall provide notice to a homeowner of the provisions of subsection (a) before eligible work is performed in the home of the homeowner.

SEC. 108. HEATING AND COOLING EFFICIENCY STUDY.

(a) IN GENERAL.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a study not later than 1 year after the date of enactment of this Act.

(b) CONTENTS.—The study shall include a description of—

(1) the efficiency through the life-cycle of air conditioning and heat pump products eligible under section 103; and

(2) a comparison of the efficiency through the life-cycle of air conditioning and heat pump products eligible under section 103 to the efficiency through the life-cycle of air conditioning and heat pump products not eligible under section 103.

SEC. 109. PUBLIC INFORMATION CAMPAIGN.

Not later than 60 days after the date of enactment of this Act, the Administrator, in consultation with the States and the Secretary, shall develop and implement a public education campaign that describes—

(1) the benefits of home energy retrofits; and

(2) the availability of rebates for the installation of qualifying energy savings measures under the Silver Star Home Energy Retrofit Program and for whole home energy savings under the Gold Star Home Energy Retrofit Program.

SEC. 110. PENALTIES.

(a) IN GENERAL.—The Secretary may—

(1) assess and compromise a civil penalty against a person who violates this title (or any regulation issued under this title); and

(2) require from any entity the records and inspections necessary to enforce this title.

(b) CIVIL PENALTY.—A civil penalty assessed under subsection (a) shall be in an amount not greater than the higher of—

(1) \$15,000 for each violation; or

(2) 3 times the value of any associated rebate under this title.

SEC. 111. HOME STAR ENERGY EFFICIENCY LOAN PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PARTICIPANT.—The term “eligible participant” means a homeowner who receives financial assistance from a qualified financing entity to carry out qualifying energy savings measures under the Silver Star Home Energy Retrofit Program or whole home energy savings under the Gold Star Home Energy Retrofit Program.

(2) QUALIFIED FINANCING ENTITY.—The term “qualified financing entity” means a State, political subdivision of a State, tribal government, electric utility, natural gas utility, nonprofit or community-based organization, energy service company, retailer, or any other entity that—

(A) meets the eligibility requirements of this section; and

(B) is designated by the Governor of a State in accordance with subsection (e)(1).

(3) QUALIFIED LOAN PROGRAM MECHANISM.—The term “qualified loan program mechanism” means a mechanism for the establishment and operation of a loan program that is—

(A) administered by a qualified financing entity; and

(B) funded in significant part—

(i) by funds provided by or overseen by a State; or

(ii) through the energy loan program of the Federal National Mortgage Association.

(b) ESTABLISHMENT.—The Secretary shall establish a Home Star Energy Efficiency Loan Program under which the Secretary shall make funds available to States to support financial assistance provided by qualified financing entities for the installation of qualifying energy savings measures under the Silver Star Home En-

ergy Retrofit Program or whole home energy savings under the Gold Star Home Energy Retrofit Program.

(c) ELIGIBILITY OF QUALIFIED FINANCING ENTITIES.—To be eligible to participate in the Home Star Loan Program, a qualified financing entity shall—

(1) offer a financing product under which eligible participants may pay over time for the cost to the eligible participant (after all applicable Federal, State, local, and other rebates or incentives are applied) of installations described in subsection (b);

(2) require all financed installations to be performed by contractors in a manner that meets minimum standards provided under sections 103 and 104;

(3) establish standard underwriting criteria to determine the eligibility of Home Star Loan Program applicants, which criteria shall be consistent with—

(A) with respect to unsecured consumer loan programs, standard underwriting criteria used under the energy loan program of the Federal National Mortgage Association; or

(B) with respect to secured loans or other forms of financial assistance, commercially recognized best practices applicable to the form of financial assistance being provided (as determined by the designated entity administering the Home Star Loan Program in the State); and

(4) undertake particular efforts to make such loans available in public use microdata areas that have a poverty rate of 12 percent or more in a proportion of total loans made at least equal to the proportion the number of residents in such areas bears to the total population of the area served by that qualified financing entity.

(d) ALLOCATION.—In allocating 75 percent of the funds made available to States for each fiscal year under this section, the Secretary shall use the formula used to allocate funds to States to carry out State energy conservation plans established under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.). In allocating the remaining 25 percent of the funds made available to States for each fiscal year under this section, the Secretary may vary the result of the formula to recognize and reward those States that make the best progress in providing loans to low-income areas pursuant to subsection (c)(4).

(e) QUALIFIED FINANCING ENTITIES.—Before making funds available to a State under this section, the Secretary shall require the Governor of the State to provide to the Secretary a letter of assurance that the State—

(1) has 1 or more qualified financing entities that meet the requirements of this section;

(2) has established, or has required its designated qualified financing entities to establish, a qualified loan program mechanism that—

(A) will use a quality assurance program established under this title or another appropriate methodology to ensure energy savings;

(B) incorporates an effective repayment mechanism, which may include—

(i) on-utility-bill repayment;

(ii) tax assessment or other form of property assessment financing;

(iii) municipal service charges;

(iv) energy or energy efficiency services contracts;

(v) energy efficiency power purchase agreements;

(vi) unsecured loans applying the underwriting requirements of the energy loan program of the Federal National Mortgage Association; or

(vii) alternative contractual repayment mechanisms that have been demonstrated to have appropriate risk mitigation features; and

(3) will provide, in a timely manner, all information regarding the administration of the Home Star Loan Program as the Secretary may require to permit the Secretary to meet the program evaluation requirements of subsection (h).

(f) **USE OF FUNDS.**—Funds made available to States for carrying out the Home Star Loan Program may be used to support financing mechanisms offered by qualified financing entities to eligible participants, including—

(1) interest rate reductions to interest rates as low as 0 percent;

(2) loan loss reserves or other forms of credit enhancement;

(3) revolving loan funds from which qualified financing entities may offer direct loans; or

(4) other debt instruments (excluding securitization instruments) necessary—

(A) to use available funds to obtain appropriate leverage through private investment; and

(B) to support widespread deployment of energy efficiency programs.

(g) **USE OF REPAID FUNDS.**—In the case of a revolving loan fund described in subsection (f)(3), a qualified financing entity may use funds repaid by eligible participants under the Home Star Loan Program to provide financial assistance for additional eligible participants for installations described in subsection (b) in a manner that is consistent with this section.

(h) **PROGRAM EVALUATION.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a program evaluation that describes—

(1) how many eligible participants have participated in the Home Star Loan Program;

(2) how many jobs have been created through the Home Star Loan Program, directly and indirectly;

(3) what steps could be taken to promote further deployment of energy efficiency retrofits;

(4) the quantity of verifiable energy savings, homeowner energy bill savings, and other benefits of the Home Star Loan Program; and

(5) the performance of the programs carried out by qualified financing entities under this section, including information on the rate of default and repayment.

SEC. 112. FUNDING.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—Subject to subsection (j), there are authorized to be appropriated to carry out this title \$6,000,000,000 for the period of fiscal years 2010 and 2011, to remain available until expended.

(2) **MAINTENANCE OF FUNDING.**—Funds provided under this section shall supplement and not supplant any prior or planned Federal and State funding provided to carry out energy efficiency programs. To the extent the Secretary finds that a State has supplanted other such programs with funding under this section, the Secretary may withhold an equivalent amount of funding from allocations for the State under this title.

(b) **GRANTS TO STATES.**—

(1) **IN GENERAL.**—Except as otherwise provided in this subsection, of the amount provided under subsection (a), not more than 9 percent is authorized to be appropriated to the Secretary for providing grants to States, to be used for—

(A) administrative costs of carrying out this title;

(B) development and implementation of quality assurance frameworks;

(C) oversight of quality assurance programs;

(D) establishment and delivery of financing mechanisms, in accordance with paragraph (2); and

(E) coordination with existing residential retrofit programs and infrastructure development to assist deployment of the Home Star Retrofit Rebate Program.

(2) **FINANCING.**—Of the amounts allocated to the States under paragraph (1), not less than 60 percent shall be used to carry out section 111.

(3) **DISTRIBUTION TO STATES.**—

(A) **PROVISION OF FUNDS.**—Not later than 30 days after the date of enactment of this Act, the Secretary shall provide to the State energy offices, or such other State entities as are designated by the Governor, of States that are carrying out responsibilities under section 105, 25 percent of the funds described in paragraph (1).

(B) **ALLOCATION.**—Funds described in subparagraph (A) shall be made available in accordance with the allocation formula for State energy conservation plans established under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(C) **FUND ALLOCATION PROCESS.**—The Secretary shall allocate the remaining 75 percent of the funds described in paragraph (1) in a manner that may vary from the formula described in subparagraph (B) as necessary to best support the objectives of achieving energy efficiency gains, employment of underemployed workers, and implementing quality assurance programs and frameworks in participating States.

(4) **WITHHOLDING OF FUNDS.**—To the extent that the Secretary assumes the responsibilities of a State under section 101(i), the Secretary shall withhold the portion of the funds otherwise transferrable to the State under this section that are attributable to those State responsibilities.

(5) **INDIAN TRIBES.**—

(A) **IN GENERAL.**—If an Indian tribe acts in place of a State for purposes of carrying out the responsibilities of the State under this title with respect to its tribal lands pursuant to section 101(h), the Secretary shall transfer to that Indian tribe, instead of the State, the proportionate share of funds otherwise transferrable to the State under this section.

(B) **PROPORTIONATE SHARE.**—For purposes of subparagraph (A), the proportionate share shall be calculated on the basis of the percentage of the population of the State that resides within the tribal lands.

(c) **QUALITY ASSURANCE COSTS.**—

(1) **IN GENERAL.**—Of the amount provided under subsection (a), not more than 5 percent are authorized to be appropriated to the Secretary to be used as provided in paragraph (2), in accordance with information provided by the State offices or entities described in subsection (b)(3)(B) with respect to services provided by quality assurance providers.

(2) **DISTRIBUTION TO QUALITY ASSURANCE PROVIDERS OR REBATE AGGREGATORS.**—The Secretary shall use funds provided under this subsection to compensate quality assurance providers and rebate aggregators for services provided under this title.

(3) **COMPENSATION.**—The amount of compensation provided under this subsection shall be—

(A)(i) in the case of the Silver Star Home Energy Retrofit Program—

(I) not more than \$25 to rebate aggregators per rebate review and processing under the program; and

(II) \$150 to quality assurance providers for each field inspection conducted under the program; and

(ii) in the case of the Gold Star Home Energy Retrofit Program—

(I) not more than \$35 to rebate aggregators for each rebate review and processing under the program; and

(II) \$300 to quality assurance providers for each field inspection conducted under the program; or

(B) such other amounts as the Secretary considers necessary to carry out the quality assurance provisions of this title to optimize the overall energy efficiency resulting from the Silver Star Home Energy Retrofit Program and the Gold Star Home Energy Retrofit Program.

(d) **TRACKING OF REBATES AND EXPENDITURES.**—Of the amount provided under subsection (a), not more than 2.5 percent are authorized to be appropriated to the Secretary to be used for costs associated with tracking rebates and expenditures through the Federal Rebate Processing System under this title, technical assistance to States, and related administrative costs incurred by the Secretary.

(e) **PUBLIC EDUCATION AND COORDINATION.**—Of the amount provided under subsection (a),

not more than 0.2 percent are authorized to be appropriated to the Administrator to be used for costs associated with public education and coordination with the Federal Energy Star program.

(f) **SILVER STAR HOME ENERGY RETROFIT PROGRAM.**—

(1) **IN GENERAL.**—Of the amount provided under subsection (a), after subtracting the amounts authorized in subsections (b), (d), and (e) of this section, two-thirds of the remainder are authorized to be appropriated to the Secretary to be used to provide rebates and other payments authorized under the Silver Star Home Energy Retrofit Program.

(2) **PRODUCTS PURCHASED WITHOUT INSTALLATION SERVICES.**—Of the amounts appropriated pursuant to this subsection for the Silver Star program, 7.5 percent shall be made available for rebates under section 103(f).

(g) **GOLD STAR HOME ENERGY RETROFIT PROGRAM.**—Of the amount provided under subsection (a), after subtracting the amounts authorized in subsections (b), (d), and (e) of this section, one-third of the remainder is authorized to be appropriated to the Secretary to be used to provide rebates and other payments authorized under the Gold Star Home Energy Retrofit Program.

(h) **RETURN OF UNDISBURSED FUNDS.**—

(1) **SILVER STAR HOME ENERGY RETROFIT PROGRAM.**—If the Secretary has not disbursed all the funds available for rebates under the Silver Star Home Energy Retrofit Program by the date that is 1 year after the date of enactment of this Act, any undisbursed funds shall be made available to the Gold Star Home Energy Retrofit Program.

(2) **GOLD STAR HOME ENERGY RETROFIT PROGRAM.**—If the Secretary has not disbursed all the funds available for rebates under the Gold Star Home Energy Retrofit Program by the date that is 2 years after the date of enactment of this Act, any undisbursed funds shall be returned to the Treasury.

(i) **SUNSET.**—With the exception of the provisions of section 102(c)(5), (6), and (7), sections 107, 110, and 111, this subsection, and the relevant definitions in section 2 to those provisions, this title shall cease to be effective after December 31, 2012. Nothing in this subsection shall prevent a State from continuing to implement a quality assurance framework established pursuant to section 105.

TITLE II—ENERGY EFFICIENT MANUFACTURED HOMES

SEC. 201. ENERGY EFFICIENT MANUFACTURED HOMES.

(a) **DEFINITIONS.**—In this section:

(1) **MANUFACTURED HOME.**—The term “manufactured home” has the meaning given such term in section 603 of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5402).

(2) **ENERGY STAR QUALIFIED MANUFACTURED HOME.**—The term “Energy Star qualified manufactured home” means a manufactured home that has been designed, produced, and installed in accordance with Energy Star’s guidelines by an Energy Star certified plant.

(b) **PURPOSE.**—The purpose of this section is to assist low-income households residing in manufactured homes constructed prior to 1976 to save energy and energy expenditures by providing funding for the purchase of new Energy Star qualified manufactured homes.

(c) **GRANTS TO STATE AGENCIES.**—

(1) **GRANTS.**—The Secretary may make grants to State agencies responsible for developing State energy conservation plans under section 362 of the Energy Policy and Conservation Act (42 U.S.C. 6322) (or such other existing State agency that exercises similar functions as the Governor of a State may designate), to provide owners of manufactured homes constructed prior to 1976 funding to use to purchase new Energy Star qualified manufactured homes.

(2) **ALLOCATION OF GRANTS.**—Grants under paragraph (1) shall be distributed to State agencies in States on the basis of their proportionate share of all manufactured homes constructed prior to 1976 that are occupied as primary residences in the United States, based on the most recent and accurate data available.

(3) **FUNDING.**—

(A) **PRIMARY RESIDENCE REQUIREMENT.**—Funding described under paragraph (1) may only be made to an owner of a manufactured home constructed prior to 1976 that has been used by the owner as a primary residence on a year-round basis for at least the previous 12 months.

(B) **DESTRUCTION AND REPLACEMENT.**—Funding described under paragraph (1) may be provided only if the manufactured home constructed prior to 1976 will be—

(i) destroyed (including appropriate recycling); and

(ii) replaced, in an appropriate area, as determined by the applicable State agency, with an Energy Star qualified manufactured home.

(C) **LIMITATION.**—Funding described under paragraph (1) may not be provided to any owner of a manufactured home constructed prior to 1976 that was or is a member of a household for which any member of the household was provided funding pursuant to this section.

(D) **ELIGIBLE HOUSEHOLDS.**—To be eligible to receive funding described under paragraph (1), an owner of a manufactured home constructed prior to 1976 shall demonstrate to the applicable State agency that the total income of all members the owner's household does not exceed 80 percent of the area median income in the applicable area, as determined by the Secretary.

(E) **LEASES.**—To be eligible to receive funding described under paragraph (1), an owner of a manufactured home constructed prior to 1976 who intends to place the new Energy Star qualified manufactured home on property leased from another person shall hold a lease to such property of at least 3 years in duration.

(4) **FUNDING AMOUNT.**—Funding provided by State agencies under this subsection shall not exceed \$7,500 per manufactured home from any funds appropriated pursuant to this section.

(5) **USE OF STATE FUNDS.**—A State agency providing funding under this section may supplement the amount of such funding under paragraph (4) by any amount such agency approves if such additional amount is from State funds and other sources, including private donations and grants or loans from charitable foundations.

(6) **SIMILAR PROGRAMS.**—

(A) **STATE PROGRAMS.**—A State agency conducting a program that has the purpose of replacing manufactured homes constructed prior to 1976 with Energy Star qualified manufactured homes may use funds provided under this section to support such a program, provided such funding does not exceed the funding limitation amount under paragraph (4).

(B) **FEDERAL PROGRAMS.**—The Secretary shall seek to achieve the purpose of this section through similar Federal programs including—

(i) the Weatherization Assistance Program under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.); and

(ii) the program under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(7) **ADMINISTRATION.**—

(A) **CONTROLS AND PROCEDURES.**—Each State agency receiving funds under this section shall establish fiscal controls and accounting procedures sufficient, as determined by the Secretary, to ensure proper accounting for disbursements made from such funds and fund balances. Such procedures shall conform to generally accepted Government accounting principles.

(B) **COORDINATION WITH OTHER STATE AGENCIES.**—A State agency receiving funds under this section may coordinate its efforts, and

share funds for administration, with other State agencies or nonprofit organizations involved in low-income housing programs.

(C) **ADMINISTRATIVE EXPENSES.**—A State agency receiving funds under this section may expend not more than 10 percent of such funds for administrative expenses.

(d) **DECOMMISSIONING.**—A person receiving funding under subsection (c) may also be provided not to exceed \$2,500 for the decommissioning of the manufactured home being replaced.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There are authorized to be appropriated to the Secretary to carry out this section \$200,000,000 for fiscal year 2010 and \$400,000,000 for fiscal year 2011, to remain available until expended.

(2) **ADMINISTRATIVE EXPENSES.**—Of the amounts available each fiscal year to carry out this section, the Secretary may expend not more than 5 percent to pay administrative expenses.

The CHAIR. No amendment to the committee amendment is in order except those printed in House Report 111-475. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. MARKEY OF MASSACHUSETTS

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111-475.

Mr. MARKEY of Massachusetts. Madam Chair, I, as the designee of Mr. WAXMAN, rise to offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. MARKEY of Massachusetts:

Page 3, lines 12 through 14, strike “under other standards approved by the Secretary, in consultation with the Administrator” and insert “under other standards that the Secretary shall approve or deny not later than 30 days after submittal, in consultation with the Administrator”.

Page 4, lines 21 through 23, strike “other standards approved by the Secretary, in consultation with the Secretary of Labor and the Administrator” and insert “other standards that the Secretary shall approve or deny not later than 30 days after submittal, in consultation with the Secretary of Labor and the Administrator”.

Page 5, line 8, insert “or wholesale” after “retail”.

Page 6, line 6, strike “111” and insert “110”.

Page 8, lines 11 through 13, strike “any other entity designated for such purpose by the Secretary, in consultation with the Administrator” and insert “any other entity that is accredited under standards that the Secretary shall approve or deny not later than 30 days after submittal, in consultation with the Administrator”.

Page 10, lines 5 through 9, amend subparagraph (A) to read as follows:

(A) establish a Federal Rebate Processing System which shall serve as a database and information technology system to allow—

(i) rebate aggregators to submit claims for reimbursement using standard data protocols;

(ii) quality assurance reports to be identified with the work for which rebates are claimed; and

(iii) any Home Star loans to be linked to the work for which they are made;

Page 10, line 15, strike “and”.

Page 10, line 16, redesignate subparagraph (C) as subparagraph (D).

Page 10, after line 15, insert the following new subparagraph:

(C) establish a means by which a State may obtain confidential access to records of work performed in that State from the database; and

Page 11, lines 1 through 3, strike “executes a Home” and all that follows through “affirming” and insert “affirms, in each Home Star rebate application submitted to a rebate aggregator.”.

Page 12, lines 8 and 12, redesignate paragraphs (6) and (7) as paragraphs (7) and (8), respectively.

Page 12, after line 7, insert the following new paragraph:

(6) agreeing to cooperate with and comply with the requirements of the quality assurance provider assigned to inspect any work done, subject to any appeals or dispute resolution process described in section 105(b)(4);

Page 12, line 16, strike “112” and insert “111”.

Page 13, strike lines 1 through 3, and insert “the Secretary may appoint and set basic rates of pay for such professional and administrative personnel as the Secretary considers necessary to carry out this title. Such authority shall not apply to positions in the Senior Executive Service. The number of personnel appointed under this paragraph shall not exceed 30 full-time equivalent employees. The terms of appointment of all personnel appointed under this paragraph shall expire upon the termination of the programs established under this title.”.

Page 13, lines 4 through 8, amend paragraph (2) to read as follows:

(2) **RATE OF PAY.**—The basic rate of pay for a person appointed under paragraph (1) shall not exceed the maximum rate of basic pay payable for GS-15 of the General Schedule under section 5332 of title 5, United States Code.

Page 13, lines 9 through 21, strike paragraphs (3) and (4) (and redesignate the subsequent paragraphs accordingly).

Page 16, strike lines 8 through 10 and insert the following:

(5) **EFFECTIVE PERIOD.**—(A) Paragraph (1) shall be effective only until December 31, 2010, except with respect to personnel appointed to support the quality assurance and enforcement of the programs established under this title, for which appointments may be made under paragraph (1) until the termination of the programs established under this title pursuant to section 111(i).

(B) Paragraphs (3) and (4) shall be effective only until the date that is 2 years after the date of enactment of this Act, except with respect to regulations and information collection relating to the quality assurance and enforcement of the programs established under this title.

Page 18, lines 1, 3, 6, and 11, strike “section 105” and insert “section 105 or 110”.

Page 18, line 17, insert “unless the energy savings measures installed pursuant to section 103 are excluded from the calculations performed for purposes of section 104 and the total amount of rebates paid for the home does not exceed the maximum rebate available pursuant to section 104” after “the same home”.

Page 19, line 7, strike “section” and insert “title”.

Page 21, after line 10, insert the following new subsections:

(o) **INFORMATION HOTLINES.**—

(1) **CONTRACTORS.**—The Secretary shall establish and publicize a telephone hotline for contractors to call to obtain information about the programs under this Act.

(2) **HOMEOWNERS.**—The Secretary shall establish and publicize a telephone hotline for homeowners to call to obtain information about the programs under this Act.

(p) **ONLINE CHAT FUNCTION.**—The Secretary shall determine the feasibility and effectiveness of establishing an online chat function through the website established for the Home Star Retrofit Rebate Program, and may establish such a function as appropriate.

Page 21, line 20, insert “, in one or more particular States,” after “any rebate aggregator”.

Page 21, line 21, insert “The Secretary shall consult with States operating existing residential energy efficiency and retrofit programs on how best to coordinate the Home Star Retrofit Rebate Program with such existing programs, including the designation of rebate aggregators,” after “competent manner.”

Page 21, line 22, strike “30 days” and insert “60 days”.

Page 21, strike lines 24 and 25, and insert “a sufficient number of rebate aggregators in each State to ensure that rebate applications can be accepted from all qualified contractors.”

Page 22, line 10, insert “not later than 10 days after receipt of a complete rebate application,” after “(3)”.

Page 22, line 14, strike “30” and insert “10”.

Page 23, line 22 strike “and”.

Page 23, line 25, strike “would not disrupt” and insert “would facilitate coordination with, and not disrupt,”.

Page 24, line 3, insert “and” after the semicolon.

Page 24, after line 3, insert the following new clause:

(iv) whose operational facilities, employees, electronic recordkeeping hardware and facilities, and conventional records used to carry out the responsibilities of a rebate aggregator are located wholly within the United States, to the extent consistent with the international obligations of the United States.

Page 25, line 18, insert “and to the availability of funding pursuant to section 111” after “subsection (d)(4)”.

Page 26, line 9, strike “polyurethane” and insert “insulating”.

Page 26, line 25, insert “, except that a State, with the approval of the Secretary, may designate climate zone subregions as a function of varying elevation” after “structural capacity”.

Page 27, line 6, strike “seal or replacement” and insert “sealing or replacement and sealing”.

Page 27, line 10, strike “, replaces” and insert “and sealing, replaces and seals”.

Page 27, line 17, insert “or adds at least R-10 of continuous insulation” after “thickness”.

Page 28, lines 10 through 21 amend paragraph (6) to read as follows:

(6) Window replacement that replaces at least 8 exterior windows, or 75 percent of the exterior windows in a home, whichever is less, with windows that—

(A) are certified by the National Fenestration Rating Council; and

(B) comply with criteria applicable to windows under section 25(c) of the Internal Revenue Code of 1986 or, in areas above 5,000 feet elevation, have a U-factor of at least 0.35 when replacing windows that are single-glazed or double-glazed with an internal air space of ¼ inch or less.

Page 28, lines 22 through 24, amend paragraph (7) to read as follows:

(7) Door or skylight replacement that replaces at least 1 exterior door or skylight with doors or skylights that comply with the 2010 Energy Star specification for doors or skylights.

Page 29, lines 1 through 3, amend clause (i) to read as follows:

(i) a natural gas or propane furnace with a furnace that has—

(I) an AFUE rating of 92 or greater; or

(II) an AFUE rating of 95 or greater;

Page 29, line 12, through page 30, line 17, amend clause (v) to read as follows:

(v) a wood or pellet furnace, boiler, or stove, if—

(I) the new system—

(aa) meets at least 75 percent of the heating demands of the home; and

(bb) in the case of a wood stove, but not a pellet stove, replaces an existing wood stove, but not a pellet stove, and is certified by the Administrator;

(II) the home has a distribution system (such as ducts, vents, blowers, or affixed fans) that allows heat to reach all or most parts of the home;

(III) in the case where an old wood stove is being replaced, a voucher is provided by the installer or other responsible party certifying that the old wood stove has been removed and rendered inoperable or recycled at an appropriate recycling facility; and

(IV) an accredited independent laboratory recognized by the Administrator certifies that the new system—

(aa) has thermal efficiency (lower heating value) of at least 75 percent for wood and pellet stoves, and at least 80 percent for furnaces and boilers; and

(bb) has particulate emissions of less than 3.0 grams per hour for stoves, and less than 0.32 lbs/mmBTU for outdoor furnaces and boilers.

Page 30, line 23, strike “Air” and insert “Air-source air”.

Page 31, lines 4 and 5, amend clause (i) to read as follows:

(i) in the case of an air-source air conditioner—

(I) SEER 16 and EER 13; or

(II) SEER 18 and EER 15; and

Page 31, line 18, strike “or a” and insert “, or a natural gas or propane storage or tankless water heater with”.

Page 32, lines 9 through 11, amend subparagraph (F) to read as follows:

(F) an electric tankless water heater with an energy factor or thermal efficiency, as applicable, of .96 or more or a thermal efficiency of 96 percent or more, that operates on not greater than 25 kilowatts;

Page 32, lines 17 through 21, amend subparagraph (H) to read as follows:

(H) a water heater installed in conjunction with a qualifying geothermal heat pump described in paragraph (10) that provides domestic water heating through the use of—

(i) a desuperheater; or

(ii) year-round demand water heating capability.

Page 32, line 22, insert “or doors” after “Storm windows”.

Page 32, lines 23 through 25, strike “single-glazed windows that do not have storm windows,” and insert “doors or existing single-glazed windows; and”.

Page 33, lines 1 through 3, strike subparagraph (B).

Page 33, line 4, redesignate subparagraph (C) as subparagraph (B).

Page 33, line 5, insert “or doors” after “storm windows”.

Page 33, line 10, strike “less” and insert “more”.

Page 33, line 16, insert “for installations” after “at least 1.1”.

Page 34, line 18, strike “and”.

Page 34, line 20, strike the period and insert “; and”.

Page 34, after line 20, insert the following new subparagraph:

(C) an air-source air conditioner described in subsection (b)(9)(B)(i)(II).

Page 35, line 1, insert “and per skylight” after “per door”.

Page 35, line 2, insert “and 2 Energy Star skylights” after “Energy Star doors”.

Page 35, line 4, strike “\$250” and insert “\$400”.

Page 35, lines 7 through 15, redesignate subparagraphs (C) through (F) as subparagraphs (D) through (G), respectively.

Page 35, after line 6, insert the following new subparagraph:

(C) \$750 for a water heater described in subsection (b)(11)(B);

Page 35, line 9, insert “or door” after “each storm window”.

Page 35, line 11, insert “or doors” after “storm windows”.

Page 35, line 14, strike “and”.

Page 35, line 16, strike the period and insert a semicolon.

Page 35, after line 16, insert the following new subparagraph:

(H) \$750 for heating system replacement described in subsection (b)(8)(A)(i)(I);

(I) \$500 for a wood or pellet stove that has a heating capacity of at least 28,000 Btu per hour and meets all of the requirements of subsection (b)(8)(A)(v), except for the requirements of subclause (I)(aa) and subclause (II); and

(J) \$500 for a for a desuperheater as described in subsection (b)(11)(H)(i).

Page 38, line 4, strike “A” and insert “Not later than 1 year after the completion of a project for which rebates are sought, a”.

Page 38, line 7, strike “quality assurance requirements of this title has” and insert “required specifications for each measure or standards for installation have”.

Page 39, line 23, insert “as of the date of enactment of this Act” after “qualify”.

Page 39, line 25 through page 40, line 1, strike “, but with” and all that follows through “has been made”.

Page 40, line 4, strike “polyurethane” and insert “insulating”.

Page 42, line 5, insert “and the availability of funds pursuant to section 111” after “subsection (b)”.

Page 42, line 19, insert “energy-efficient wood products, insulated vinyl siding,” after “temperature controllers,”.

Page 45, line 2, strike “metered” and insert “verified”.

Page 46, line 3, strike “conducted in” and insert “and energy savings projections conducted with respect to”.

Page 47, line 12, strike “A” and insert “Not later than 1 year after completion of a project for which rebates are sought, a”.

Page 48, lines 10 through 19, amend subparagraph (A) to read as follows:

(A) If a field verification by an independent quality assurance provider finds that corrective work is needed, the accredited contractor will correct the work so the installed measures comply with manufacturer and applicable code standards, and reasonably determined energy savings projections indicate compliance with the specifications and quality standards under this title. Such compliance shall be achieved not later than 14 days after the date of notification of a defect pursuant to a warranty, provided at no additional cost to the homeowner.

Page 50, after line 3, insert the following new subsection:

(g) **ACCREDITATION SCHOLARSHIPS.**—The Secretary may provide up to 0.3 percent of the funding available for carrying out this section for need-based scholarships to individuals to enable them to qualify as accredited contractors. In providing such scholarships, the Secretary shall factor in the number of accredited contractors in the State

and their proportion to the State's population.

Page 52, line 5, strike "minority and" and insert "minority, veteran, and".

Page 53, after line 2, insert the following new subparagraph:

(F) to the extent practicable, a plan to incorporate existing clean energy and energy efficiency coursework, worker training programs, and worker certification programs at community colleges;

Page 53, line 3, strike "(F)" and insert "(G)".

Page 53, line 7, strike "(G)" and insert "(H)".

Page 53, line 16, strike "112" and insert "111".

Page 55, after line 8, insert the following new paragraph:

(4) APPEALS AND DISPUTE RESOLUTION PROCESS.—A quality assurance program established under this subsection shall include an expedited and final appeals and dispute resolution process.

Page 57, lines 3 through 14, strike section 107 (and redesignate the subsequent sections accordingly).

Page 58, line 7, insert "(a) IN GENERAL.—" before "Not later than".

Page 58, line 11, strike "and".

Page 58, line 16, strike the period and insert a semicolon.

Page 58, after line 16, insert the following:

(3) the benefits of the programs under this title for senior citizens; and

(4) financing options as needed to inform consumers and qualified financing entities of the details of the Home Star Energy Efficiency Loan Program under section 110.

The public education campaign shall not include any distribution of gift or promotional items without direct educational value.

(b) VETERANS.—The Administrator shall coordinate with the Secretary of Veterans Affairs on how to implement an outreach strategy to veterans and veteran service organizations about retrofit rebate programs.

Page 60, line 2, strike "subsection (e)(1)" and insert "subsection (d)(1)".

Page 60, line 8, strike "and".

Page 60, line 14, strike the period and insert "; and".

Page 60, after line 14, insert the following new subparagraph:

(C) limited to financing the homeowners' portion of a Silver Star or Gold Star project undertaken pursuant to this title.

Page 60, line 17, insert ", subject to the availability of funding pursuant to section 111," after "the Secretary".

Page 61, line 22, strike "and".

Page 62, line 4, strike the period and insert "; and".

Page 62, after line 4, insert the following new paragraph:

(5) undertake particular efforts to make such loans available to senior citizens living in older homes or living on fixed incomes.

Page 62, lines 5 through 16, strike subsection (d) (and redesignate the subsequent subsections accordingly).

Page 63, lines 22 and 23, strike "manner, all information regarding" and insert "manner—

(A) to the rebate aggregator all information regarding each loan made with respect to a project for which the rebate aggregator accepted a rebate application; and

(B) information concerning".

Page 64, line 4, insert "solely" after "may be used".

Page 64, line 6, strike "to eligible participants, including" and insert ". The support for qualified loan program financing mechanisms may include".

Page 64, line 10, insert "or" after the semicolon.

Page 64, line 12, strike "; or" and insert a period.

Page 64, lines 13 through 18, strike paragraph (4).

Page 64, line 20, strike "subsection (f)(3)" and insert "subsection (e)(3)".

Page 64, line 25, insert "Any money that is repaid under a Gold Star or Silver Star loan into a State revolving loan fund after a date 2 years from the date of enactment of this title may be retained by that State and utilized for purposes of providing additional loans for home energy retrofit purposes or to support a State home energy efficiency retrofit program. In the event that the Secretary is carrying out the Home Star Energy Efficiency Loan program in lieu of a State program, such repayments shall be returned to the Treasury." after "with this section".

Page 65, line 19, strike "Subject to subsection (j), there" and insert "There".

Page 66, line 8 through page 68, line 2, strike paragraphs (1) through (3) and insert the following:

(1) DISTRIBUTION TO STATES.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, of the amount provided under subsection (a), 3.6 percent is authorized to be appropriated to the Secretary for providing grants to States, to be used for—

(i) administrative costs of carrying out this title;

(ii) development and implementation of quality assurance frameworks;

(iii) oversight of quality assurance programs;

(iv) establishment and delivery of financing mechanisms, in accordance with paragraph (2); and

(v) coordination with existing residential retrofit programs and infrastructure development to assist deployment of the Home Star Retrofit Rebate Program.

(B) DISTRIBUTION.—

(i) PROVISION OF FUNDS.—Not later than 30 days after the date of enactment of this Act, the Secretary shall provide to the State energy offices, or such other State entities as are designated by the Governor, of States that are carrying out responsibilities under section 105, 25 percent of the funds described in subparagraph (A).

(ii) ALLOCATION.—Funds described in clause (i) shall be made available in accordance with the allocation formula for State energy conservation plans established under part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(iii) FUND ALLOCATION PROCESS.—The Secretary shall allocate the remaining 75 percent of the funds described in clause (i) in a manner that may vary from the formula described in clause (ii) as necessary to best support the objectives of achieving energy efficiency gains, employment of underemployed workers, and implementing quality assurance programs and frameworks in participating States.

(2) FINANCING.—

(A) IN GENERAL.—Except as otherwise provided in this subsection, of the amount provided under subsection (a), 5.4 percent is authorized to be appropriated to the Secretary for carrying out section 110.

(B) DISTRIBUTION.—

(i) PROVISION OF FUNDS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall provide to the State energy offices, or such other State entities as are designated by the Governor, of States that are carrying out responsibilities under section 105, 75 percent of the funds described in subparagraph (A).

(ii) ALLOCATION.—Funds described in clause (i) shall be made available in accordance with the allocation formula for State energy conservation plans established under part D

of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.).

(iii) FUND ALLOCATION PROCESS.—The Secretary shall allocate the remaining 25 percent of the funds described in clause (i) in a manner that may vary from the formula described in clause (ii) and reward those States that make the best progress in providing loans to low-income areas pursuant to section 110(c)(4).

Page 68, lines 3 and 9, redesignate paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

Page 68, line 23, insert "AND REBATE AGGREGATION" after "QUALITY ASSURANCE".

Page 69, line 4, strike "subsection (b)(3)(B)" and insert "subsection (b)(1)(B)(ii)".

Page 69, line 5, insert "and rebate aggregators" after "assurance providers".

Page 71, line 1, strike "(b), (d)" and insert "(b), (c), (d)".

Page 71, line 13, strike "(b), (d)" and insert "(b), (c), (d)".

Page 72, after line 6, insert the following new paragraph:

(3) HOME STAR ENERGY EFFICIENCY LOAN PROGRAM.—If a State, or the Secretary acting in lieu of a State program, has not disbursed or provided in the form of loans all the funds available for such loans under the Home Star Energy Efficiency Loan Program by the date that is 2 years after the date of enactment of this title, any undisbursed funds shall be returned to the Treasury.

Page 72, line 8, strike "107, 110, and 111" and insert "109 and 110".

Page 72, after line 13, insert the following new section:

SEC. 113. NOISE ABATEMENT STUDY.

Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Health and Human Services, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a study of the effects of the energy savings measures made as a result of this Act on noise abatement.

Page 72, line 15, insert "AND MODULAR" after "MANUFACTURED".

Page 72, line 16, insert "AND MODULAR" after "MANUFACTURED".

Page 73, after line 3, insert the following new paragraphs:

(3) MODULAR HOME.—The term "modular home" means a structure that is—

(A) designed and manufactured to comply with applicable national, State, and local building codes and regulations;

(B) transportable in one or more sections;

(C) not constructed on a permanent chassis; and

(D) designed to be used as a dwelling on permanent foundations when connected to required utilities, including the plumbing, heating, air conditioning, and electrical systems contained therein.

(4) ENERGY STAR QUALIFIED MODULAR HOME.—The term "Energy Star qualified modular home" means a modular home that has been designed, produced, and installed in accordance with Energy Star's guidelines.

Page 73, line 8, insert "or new Energy Star qualified modular homes" after "manufactured homes".

Page 73, line 18, insert "or new Energy Star qualified modular homes" after "manufactured homes".

Page 74, line 18, insert "or Energy Star qualified modular home" after "manufactured home".

Page 75, line 13, insert "or new Energy Star qualified modular home" after "manufactured home".

Page 75, line 18, insert "or modular home" after "manufactured home".

Page 76, lines 3 through 21, amend paragraph (6) to read as follows:

(6) STATE PROGRAMS.—A State agency conducting a program that has the purpose of replacing manufactured homes constructed prior to 1976 with Energy Star qualified manufactured homes or Energy Star qualified modular homes may use funds provided under this section to support such a program, provided such funding does not exceed the funding limitation amount under paragraph (4).

The CHAIR. Pursuant to House Resolution 1329, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY of Massachusetts. Madam Chair, Chairman WAXMAN's amendment strengthens the core functions of Home Star: to save energy, create jobs, and save consumers money. I will highlight just a few of the provisions in the amendment.

The amendment offers additional rebates for super-efficient air conditioners and furnaces. It requires rebate aggregators under Home Star to be entirely employed in the United States. And it includes rebates for storm windows and doors.

The technical changes to the amendment have streamlined the effectiveness of the program. For example, the amendment includes a provision to ensure coordination between existing State energy efficiency programs and Home Star. I think that Chairman WAXMAN's amendment improves significantly the bill. I think it contributes to our overall goals. I ask that the amendment be accepted by the House.

I reserve the balance of my time.

Mr. BARTON of Texas. Madam Chair, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 10 minutes.

□ 1315

Mr. BARTON of Texas. We do oppose the manager's amendment, Madam Chair. It is a good-faith attempt to try to perfect some of the anomalies within it. It's fairly long-winded. It's fairly complicated, because when the government starts to intervene in the marketplace, it has to intervene more and more pervasively to try to handle all of the various things that normally the hidden hand of the market, to quote ADAM SMITH, would correct or take care of.

So, if you support the underlying bill, you should support the manager's amendment because it is trying to correct the problems which those who support it have seen in the underlying bill. If you don't support the underlying bill, which I do not, you should oppose the Waxman amendment because here is a program, again, which is spending \$6.6 billion—or at least is authorizing the spending of \$6.6 billion, which we don't have, which has no pay-for, and the Department of Energy has a \$5 billion program currently on the books that has been appropriated for which they've not yet handed out the money.

So we oppose Chairman WAXMAN's manager's amendment and would ask for a "no" vote.

With that, I reserve the balance of my time.

Mr. MARKEY of Massachusetts. I yield 2 minutes to the gentlelady from Arizona (Ms. GIFFORDS).

Ms. GIFFORDS. Madam Chair, I rise today to proudly support the Home Star Energy Retrofit Act.

Energy efficiency saves fuel, electricity, and it helps Americans to save money. However, embracing energy efficiency at home isn't just about energy or money. It improves the comfort and quality of life that people experience every day. It actually makes homes better places to live.

I support this bill because it creates jobs in all 50 States, which is a priority of this Congress. Whether you live in sunny Arizona, like myself, or icy Alaska, people will use their local installers to make these upgrades to their homes.

I would like to thank the committee for accepting my amendment, which directs the Secretary of Energy to provide need-based scholarships for training programs to get Gold Star certification. To take full advantage of the Home Star program, we need to grow a workforce that can implement these programs in every State and in any home. The scholarships made possible by my amendment will allow these individuals looking for jobs to get the training that they need so that Americans can fully realize the full benefit of the Home Star program. Training a new generation of skilled workers is a smart investment that will pay dividends in the future.

This bill is about jobs. It's also about training the smart workforce, and it's about saving resources and money for American families at this critical time. That is why I am so proud to support the Home Star Energy Retrofit Act.

Mr. BARTON of Texas. I have no further speakers on this amendment. I request a "no" vote.

I yield back the balance of my time.

Mr. MARKEY of Massachusetts. I yield 2 minutes to the gentleman from Missouri (Mr. CARNAHAN).

Mr. CARNAHAN. Madam Chair, I would like to thank Chairman MARKEY for his leadership and all the others involved in this legislation, the Home Star Energy Retrofit Act of 2010, and also, in particular, Representative WELCH and the other sponsors of the bill that have really led this effort.

This is a bill that will help in this tough recession which our country has been going through by also providing incentives to help generate our economy, to get it moving again, and do it in ways that are smart—smart by providing incentives to encourage homeowners to make their homes more energy efficient by providing up-front rebates for home energy savings investments, such as improved insulation, upgrades to HVAC systems, and energy-efficient windows.

It will also create more green jobs. These are green jobs that can't be outsourced or sent overseas, and most of the products that are used are going to be used by small businesses here that manufacture those products and goods here in our country.

It is going to help grow our economy. It's going to help grow green jobs. It's also going to help as we look at making our environment a better place for all of us going forward. I strongly support it and support the manager's amendment.

Mr. MARKEY of Massachusetts. Madam Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BARTON OF TEXAS

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111-475.

Mr. BARTON of Texas. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. BARTON of Texas:

Page 64, lines 19 through 25, strike subsection (g) (and redesignate the subsequent subsection accordingly).

The CHAIR. Pursuant to House Resolution 1329, the gentleman from Texas (Mr. BARTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BARTON of Texas. Madam Chair, this amendment is fairly straightforward. It would strike section 111(g), which provides that funds repaid by eligible participants may be used to provide loans to additional participants under the Home Star Energy Efficiency Loan Program. In other words, under the pending legislation, if people were to get a loan and use that loan, when that loan was paid back, the funds that are paid back could then be relent. My amendment would strike the relending provision so that as the funds are paid back, they would go to the Treasury, hopefully for deficit reduction.

Since section 111 is carved out of the sunset section, section 112(i), this loan program could potentially go on forever with money that is repaid continually being loaned out to new recipients. So we could create, under this new section 111(g) if we don't accept the Barton amendment, a perpetual program, in effect, a new, self-funded entitlement program. This bill is billed as a 2-year temporary program, but the provision in 111(g) is contrary to the 2-year sunset provision of the overall bill. So I would hope that we would accept this amendment.

With that, I reserve the balance of my time.

Mr. MARKEY of Massachusetts. Madam Chair, I rise in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MARKEY of Massachusetts. I yield myself 2 of those 5 minutes.

Madam Chair, people want to save money on their energy bills, but not everyone can afford the upfront costs of an energy retrofit. What the Home Star Energy Efficiency Loan Program is designed to do is to help those people participate in the Home Star program. The loan program is also meant to provide a sustainable source of loan funds for years of future energy retrofits across a broad geographic and economic spectrum. The program will reach out to low-income households that would greatly benefit from reduced energy bills.

Now, if the Barton amendment is passed, it would severely limit the number of people who could participate in Home Star. Without long-term opportunities for efficiency loans, many low-income households will, literally, be left out in the cold.

Home Star will incentivize energy-efficient retrofits. It must also make those retrofits a reality. The loan program offers households a pathway out of crushing utility bills towards a clean energy future.

I urge my colleagues to vote "no" on the Barton amendment.

I reserve the balance of my time.

Mr. BARTON of Texas. I yield myself such time as I may consume, subject to the 5-minute limitation.

As always, Madam Chairwoman, I am deeply moved by my friend from Massachusetts' eloquent words. The problem is nothing he said really directly relates to the Barton amendment. We're not striking the loan program. We're not changing the authorization level. We're not saying that low-income homeowners who wish to use the program cannot borrow funds under this bill if it becomes a law. What we are saying is that once they've borrowed the funds, once they've been spent in the proper fashion, and hopefully once they've been repaid, the repaid funds will go towards deficit reduction.

Since this is an authorization bill, and since it's not funded anyway, according to the distinguished chairman, you would think that they would be willing to accept a small Barton amendment that simply says, if the program is ever funded, and if it actually is implemented, as people use it and pay the money back, that money goes to pay the poor taxpayers back who have labored long and hard to pay the taxes that make the program possible in the first place.

So, again, I am deeply moved by my friend from Massachusetts, but I hope that he is as deeply moved by my remarks and would change his position and support the Barton amendment.

I reserve the balance of my time.

Mr. MARKEY of Massachusetts. I yield myself whatever time is remaining.

The CHAIR. The gentleman is recognized for 3½ minutes.

Mr. MARKEY of Massachusetts. I thank the Chair.

The Barton amendment would eliminate the revolving part of the loan section which requires the money to be dedicated, again, to energy efficiency after it is repaid. Unfortunately, this would limit the ability of the middle class to take advantage of the Home Star program and invest in energy efficiency in the future.

If adopted, the amendment would create a black hole. It leaves unanswered the question of what to do with hundreds of millions of taxpayer dollars that will be repaid in the coming years.

I am concerned that this amendment is not only counter to the goals of the program, but it would leave it vulnerable because of the lack of precision which the actual impact of this amendment would have on the operation of the program in the future. So I continue to urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. BARTON of Texas. May I inquire as to how much time I have remaining?

The CHAIR. The gentleman from Texas has 2 minutes remaining, and the gentleman from Massachusetts also has 2 minutes remaining.

Mr. BARTON of Texas. I yield myself 2 minutes.

Well, my esteemed colleague from Massachusetts is at least talking about my amendment now. That's progress. He used the term "black hole." I'm sure he knows, since scientists at MIT in his home State have investigated black holes extensively, that there is mounting evidence that the universe could not exist without black holes. So I think it would be appropriate in this bill to put at least one black hole in this because it would enhance the viability of the overall program.

Again, we are trying to protect the taxpayers who are putting up the money or the loan officers who are sending the money to the U.S. Treasury in terms of government bonds to pay for this program. We are not attempting to change the loan program. We think the loan program itself is an excellent idea if you're going to have this type of a program. We simply want to protect the taxpayers and also point out, once again, that the underlying bill is a 2-year bill. We don't want a self-perpetuating loan program that would take on the form of an entitlement.

So vote for the Barton black hole amendment, and let's put some limitation on taxpayer liability.

With that, I am going to reserve what little time, if any, I have left.

Mr. MARKEY of Massachusetts. Madam Chair, I yield myself as much time as I may consume, and that is only to make the point that the way in which the amendment is drafted is that it is just a classic motion to strike. And in striking, it eliminates everything within the subsection that exists without substituting any additional in-

structions. So the metaphor of a black hole just refers to what is the legislative result of having just a strike section without also additional language in order to substitute for what the intent would be to ensure that the money is then used in a way that did not lead to the law of unintended consequences being invoked.

□ 1330

We are very concerned here about this amendment. As it is constructed inside the legislation, we know what the program is. We know, historically, it has been a very successful and a very popular model that has been used in other laws. In the Clean Water Act, it was used as a revolving loan fund to finance wastewater cleanup for decades. The Safe Drinking Water Act has successfully used this model for the last 15 years.

So, again, my hope would be that Members would reject the Barton amendment.

I reserve the balance of my time.

Mr. BARTON of Texas. How much time do I have remaining, Madam Chair?

The CHAIR. The gentleman has 30 seconds remaining.

Mr. BARTON of Texas. I yield myself the final 30 seconds.

Madam Chair, only my friend from Massachusetts could filibuster in a 5-minute time-limited debate.

Those last comments, as far as I could tell and to the extent they were substantive, were absolutely true. We do eliminate subsection G, and that is all we eliminate. That is the section that creates the reloan provision. So he is right about that. I think he is misinformed about the rest of his comments, and I would hope that he would support the elimination of one little subsection, subsection G.

Vote "yes" on the Barton amendment.

The CHAIR. The time of the gentleman has expired.

Mr. MARKEY of Massachusetts. May I inquire as to how much time I have remaining?

The CHAIR. The gentleman has 30 seconds remaining.

Mr. MARKEY of Massachusetts. Madam Chair, I yield myself those 30 seconds in order to again make the point that this program is central to our ability to ensure that the Home Star program will work and that there will be a democratization of access to the capital which will be needed in order to implement this program. We believe that it will have the impact of ensuring that more and more and more Americans will become aware of it, will use this funding mechanism, and will create this technological revolution which we need in energy efficiency in our country.

The CHAIR. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Texas (Mr. BARTON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. MARKEY of Massachusetts. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. NYE

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111-475.

Mr. NYE. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. NYE:

Page 23, lines 13 and 16, redesignate subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively.

Page 23, after line 12, insert the following new subparagraph:

(D) an Armed Forces exchange service in the United States that offers for sale energy savings measures described in section 103;

The CHAIR. Pursuant to House Resolution 1329, the gentleman from Virginia (Mr. NYE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. NYE. I yield myself such time as I may consume.

Madam Chair, I rise today to offer a commonsense, yet important, amendment to the Home Star Energy Retrofit Act which will provide much-needed savings for our military families.

I represent one of the highest concentrations of veterans and servicemembers of any congressional district in the country, and this amendment is especially important to my constituents in Hampton Roads.

Under the bill, homeowners, renters and contractors will be able to claim a credit for home energy efficiency upgrades and for high-energy-use appliances, such as air conditioners and water heaters. My amendment will simply add Armed Forces exchanges to the list of qualified entities that can provide these credits instantly to servicemembers and veterans.

Many servicemembers and their families shop at base exchanges because they are one-stop shops for everything from fresh produce to energy-efficient light bulbs and other home needs. Providing them easy access to the great benefits in this bill is a simple and commonsense way to make their day-to-day duties more hassle free.

Madam Chair, we should do all we can to support our military families. Often, it is the families who have the toughest jobs because, really, they are doing two jobs: being strong and supportive for their husbands or wives who are overseas, and also taking care of the families back home and the household finances. Saving them a few hundred dollars a year, if not more, would

really provide a boost to their finances. This amendment would make that easier.

I would like to thank Representative WELCH, Chairman MARKEY, and Chairman WAXMAN for their hard work in bringing this legislation to fruition.

Passing the Home Star Energy Retrofit Act will go a long way toward promoting energy efficiencies throughout our country. So I hope my colleagues will join me in supporting this bill and the amendment.

Madam Chair, I reserve the balance of my time.

Mr. BARTON of Texas. I commend the Chair for her fairness in calling that last vote. I appreciate that sincerely.

Madam Chair, I rise to claim time in opposition, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Texas (Mr. BARTON) is recognized for 5 minutes.

There was no objection.

Mr. BARTON of Texas. Madam Chair, the minority has no objection to this amendment. We support it and would urge its passage.

I yield back the balance of my time.

Mr. NYE. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. NYE).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BURGESS

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111-475.

Mr. BURGESS. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. BURGESS: Page 6, line 6, strike "111" and insert "110".

Page 12, line 16, strike "112" and insert "111".

Page 53, line 16, strike "112" and insert "111".

Page 58, lines 6 through 16, strike section 109 (and redesignate the subsequent sections accordingly).

Page 65, line 19, strike "subsection (j)" and insert "subsection (i)".

Page 67, line 3, strike "111" and insert "110".

Page 70, lines 17 through 21, strike subsection (e) (and redesignate the subsequent subsections accordingly).

Page 71, line 1, strike "subsections (b), (d), and (e)" and insert "subsections (b) and (d)".

Page 71, lines 13 and 14, strike "subsections (b), (d), and (e)" and insert "subsections (b) and (d)".

Page 72, line 8, strike " , 110, and 111" and insert "and 110".

The CHAIR. Pursuant to House Resolution 1329, the gentleman from Texas (Mr. BURGESS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Madam Chair, this amendment is relatively simple in construct, but the issue is an important

one. The issue is cost savings in our country. This amendment would strike the \$12 million it has designated for advertising that will be paid for by the Federal Government.

Now, let's be honest. Energy efficiency sells itself. If consumers see lower bills, they use less electricity. It is inherently incentivized. The major manufacturers and retailers of the products listed in this bill know how to sell their wares. They have commercials on television, which I see when I'm home in my district every week: You can do it. We can help. They've been doing it for years.

The Environmental Protection Agency does not need to spend money on advertising when these retailers are already doing everything they can to tell people about these rebates and to get customers in their stores. They certainly know how to market Energy Star rebates. Why would this be any different?

If Members think their constituents aren't aware of the program, they can spread the word on their own, much like we did with Medicare prescription drug benefits and with the D-TV program. They can include it in their e-newsletters; they can post it on Twitter; they can post it on their Facebook pages; and they can mention it during their town halls.

Texas had a similar program that dealt with appliances. It was extremely popular. It sold out within the first hour that it was up and running, and this was without spending any amount on State funds to advertise.

Let's be honest with what we are doing. We are overspending to the point of bankrupting this country. Now, not only do we want to spend Federal dollars to help people buy water heaters, but we are going to spend taxpayer money to help the stores advertise to sell those same water heaters to those same people.

In this bill, under the Silver Star program, the \$12 million for advertising could be put to other purposes. For example, it could provide 8,000 extra rebates for attic insulation, 96,000 rebates for new energy-efficient doors, 48,000 extra rebates for new natural gas tanks, 240,000 extra rebates for storm windows, and 24,000 extra rebates for energy-efficient window film installation.

If the goal of this bill is to make America more efficient, let's not begin by wasting \$12 million to advertise the program. Let's use it to help more Americans buy energy-efficient products. It's a no-brainer.

I reserve the balance of my time.

Mr. MARKEY of Massachusetts. I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. MARKEY of Massachusetts. At this time, I yield myself 2 minutes.

Madam Chair, a philosopher once asked: If a tree falls in the middle of a forest and if there is no one around, does that tree make a sound? It is a

very deep, profound, philosophical question. Mr. BURGESS' amendment raises a similar question. If there is a great energy efficiency program and if people don't know about it, will it help to actually increase energy efficiency? The answer to that question, I think, is no. We actually need to have a plan to spread the word about Home Star to achieve the best results.

Now, I do agree that Lowe's and Home Depot will have a stake in getting the word out, but the truth is that those large chains aren't the only companies that are going to be part of this program. The local hardware stores will be as well. So we need to create a balance here of ensuring that people in rural America, who might have hardware stores right down the street from them, understand that they can go there as well. We need to make this program as accessible as possible and as successful as possible in this tele-scoped time frame that the program will be in existence. In a modern American, capitalistic culture, we know that advertising is the central means by which consumers learn about good products.

The gentleman from Texas, I am sure, is an educated consumer, especially about this program. He knows a lot about it. Yet there will be millions and millions of Americans who will not unless we augment what Lowe's and Home Depot might spend as part of their advertising programs.

The CHAIR. The time of the gentleman has expired.

Mr. MARKEY of Massachusetts. I yield myself an additional 30 seconds.

We should augment what Lowe's, Home Depot, and other large chain stores do with programs to ensure that the other tens of thousands of small stores across the country, which will also be able to participate, will have consumers who understand that that is where they can go. I think it will dramatically enhance the attractiveness and the success of the program.

As a result, I would urge a "no" vote on the Burgess amendment.

I reserve the balance of my time.

Mr. BURGESS. I yield as much time as he may consume to the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. I thank the gentleman from Texas. I am not going to consume a lot of time.

Madam Chair, I simply want to say this is a \$12 million advertising campaign for free government money or loans at very low interest rates.

Bees don't need directions to find where the flowers are that they're going to pollinate to get the honey and to go back to the hive. Bank robbers don't need directions on how to find the banks where the money is.

Homeowners and contractors who qualify under this program don't need a \$12 million program to find out where and how to get the money. As Dr. BURGESS pointed out, they will be immediately on the Internet, on the various Web sites, and on the toll-free hotline

numbers, and all the other various things finding out how, where, and what the requirements are.

If all else fails, they can call Congressman MARKEY's office, and he will be happy to provide them with free assistance. If his office is overloaded, since mine is right next door, I will put them on a waiting list and will get back to them within 5 to 10 years.

So I support the Burgess amendment, and I would hope that we would adopt it.

Mr. MARKEY of Massachusetts. Would the Chair inform us as to how much time remains on both sides?

The CHAIR. The gentleman from Massachusetts has 2½ minutes remaining. The gentleman from Texas (Mr. BURGESS) has 1 minute remaining.

Mr. MARKEY of Massachusetts. I yield myself as much time as I have remaining, and I will complete debate.

Madam Chair, this amendment will make it very difficult for millions of Americans and for thousands of smaller stores across the country to be able to fully participate in the program. It will put a limit on how ultimately successful and democratic the access and opportunities are to this funding that we are creating in this legislation.

So I would urge a "no" vote on the Burgess amendment so that those smaller Main Street hardware stores all across the country will have the same ability to have it known that their stores are available to participate in the Home Star program in the same way we can be sure that Lowe's and Home Depot are using their incredible advertising capacities to let the public know that they can go there as well. I think if we have that balance this program will be very successful.

With that, I urge the Committee of the Whole to vote "no" on the Burgess amendment.

I yield back the balance of my time.

Mr. BURGESS. Madam Chair, this bill is not funded. It is an authorization bill. It depends upon appropriation. There is no pay-for put forward. It is never going to be appropriated. It is going nowhere. At the very least, let's be honest with ourselves. Save that \$12 million for the American taxpayer.

Do we really believe that Home Depot, Lowe's, and even your neighborhood hardware stores are not at least going to put signs in the windows that these new Energy Star/Silver Star appliances and retrofits are here and available and that Federal money is available to help you install them in your homes?

The fact is that already people are attuned to these giveaways from the Federal Government. Let's not continue to enable these types of programs to waste money from the Federal Treasury when we literally have no money left to spend.

I urge a "yes" vote on the amendment and a "no" vote on the underlying bill.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. BURGESS. Madam Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

□ 1345

AMENDMENT NO. 5 OFFERED BY MR. DEUTCH

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111-475.

Mr. DEUTCH. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. DEUTCH: Page 21, after line 10, insert the following new subsection:

(o) DISASTER AREAS.—The Secretary shall ensure that a home in an area declared affected by a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) is not denied assistance under the Home Star Retrofit Rebate Program solely because there is no equipment or system to replace due to the disaster.

The CHAIR. Pursuant to House Resolution 1329, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Madam Chair, I yield myself such time as I may consume.

Madam Chair, the Home Star Energy Retrofit Act is an important bill that will create jobs, lower energy bills, and reduce harmful greenhouse gas emissions. Improving efficiency is one of the cheapest and quickest ways to reduce pollution, and I am pleased to support a bill that encourages consumers to consider a more energy-efficient option when retrofitting or repairing existing appliances or systems.

Residents of south Florida and other disaster-prone regions know far too well the process of home repair, as my constituents have had to replace roofs and windows after powerful and damaging storms.

The underlying bill offers rebates for renovations, and my amendment simply ensures that the program will still apply if a natural disaster removes or destroys existing equipment. If a repair is required as a result of a hurricane or other natural disaster, the repair may no longer involve existing equipment and would therefore be ineligible for a rebate. For people who are making these repairs, we should ensure that it is our policy to encourage them to consider the most energy-efficient equipment. That is the purpose of this amendment.

The amendment is limited in scope and will not alter the intent of the underlying bill. It will only apply to federally declared disaster areas and only

extend eligibility to an appliance or system destroyed by the disaster. For example, if a hurricane takes off a roof, this amendment will ensure that the homeowner still has access to a rebate for purchasing an energy-efficient roof even though there is no longer a roof to retrofit.

Fire season just began in California and hurricane season is right around the corner. We ought to be mindful of the challenges faced by Americans who live in regions vulnerable to natural disasters. This amendment ensures that a south Florida family can rebuild to a higher energy efficiency standard after a disaster and does not have to wonder why they don't receive the same tax incentive offer to any other homeowners who choose to renovate their homes.

I would like to commend Mr. WELCH, Chairman MARKEY, and Chairman WAXMAN for this important energy and jobs legislation and for accepting this amendment. I respectfully request that my colleagues join me in supporting this valuable, commonsense amendment and the underlying bill.

I reserve the balance of my time.

Mr. BARTON of Texas. Madam Chair, I rise in support of the Deutch amendment.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes. There was no objection.

Mr. BARTON of Texas. In the spirit of trying to get Members who wish to catch 3 o'clock planes out of town by 3 o'clock, the minority is prepared to accept the Deutch amendment and would encourage the majority in the same spirit to limit their comments on the upcoming Republican amendments so that all Members, regardless of party affiliation, may spend the evening at home in their districts with their loved ones.

We support the Deutch amendment.

I yield back the balance of my time.

Mr. DEUTCH. I appreciate the comments and the support, and I ask that my colleagues all support this amendment.

Madam Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. FLAKE

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 111-475.

Mr. FLAKE. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. FLAKE:

Page 65, line 19, strike "subsection (j)" and insert "subsections (i) and (j)".

Page 72, after line 13, insert the following new subsection:

(j) PROHIBITION ON EARMARKS.—None of the funds appropriated pursuant to this section may be used for a Congressional earmark as

defined in clause 9(e) of rule XXI of the Rules of the House of Representatives.

Page 78, after line 4, insert the following new paragraph:

(3) PROHIBITION ON EARMARKS.—None of the funds appropriated pursuant to this subsection may be used for a Congressional earmark as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives.

The CHAIR. Pursuant to House Resolution 1329, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Madam Chair, this amendment is similar to amendments I have offered in the past on authorization bills. It simply states that none of the money authorized in this legislation for grant programs or for other purposes can be earmarked later by Members of Congress.

We are often told that we don't plan to earmark this money, but we have seen in the past that many of the grant programs or other moneys that are authorized are later earmarked. For example, the Emergency Operations Center in a FEMA bill, 60 percent of the funds for the grant program were later earmarked.

We can't have this, Madam Chair. If we're going to authorize a program, if we're going to say that moneys are available for specific purposes, we shouldn't come in later and simply take all that money from those accounts through earmarking.

These amendments have been accepted in the past by the majority, and I hope that this one will be as well.

I reserve the balance of my time.

Mr. MARKEY of Massachusetts. Madam Chair, I rise in support of this amendment.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MARKEY of Massachusetts. Madam Chair, I support the gentleman's amendment.

Home Star must be funded at a level that would save or create 168,000 jobs, save energy in 3 million homes, and save consumers \$9.2 billion over the next decade. These savings will not be realized if the authorization is decreased through earmarks.

I urge my colleagues to support the Flake amendment.

Madam Chair, I yield back the balance of my time.

Mr. FLAKE. I thank the gentleman for accepting the amendment.

Madam Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. GARRETT OF NEW JERSEY

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111-475.

Mr. GARRETT of New Jersey. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. GARRETT of New Jersey:

Page 57, after line 2, insert the following new subsection:

(d) COMPTROLLER GENERAL STUDY.—Not later than 2 years after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of a study of—

(1) how much money can reasonably be estimated to be saved by American consumers as a result of the energy efficiency measures undertaken pursuant to this title;

(2) how much energy can reasonably be estimated to be saved as a result of the energy efficiency measures undertaken pursuant to this title; and

(3) whether the savings from the energy efficiency measures undertaken pursuant to this title are greater than the cost of the implementation of this title.

The CHAIR. Pursuant to House Resolution 1329, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Madam Chair, last year The Washington Post ran a story entitled "Energy Costs Generating Light Bulb Solutions." And the story talked about how energy efficiency programs that are being employed by local governments and local utilities are working here in D.C. And many of the programs, actually, when you looked into the article, sound a lot like the program that we are creating here today on the Federal level.

For example, according to the article, in Maryland power companies at a local level began offering all customers energy home audits for free if they simply installed power-saving, energy-efficient light bulbs in the house. Later in that article, one of the persons who had taken advantage of the program, D.C. resident Elizabeth Fox, said this: She was thrilled to take advantage of this local program, an existing city program, to get a lengthy, free audit of a 100-year-old drafty house that she lived in in the northwest. She said, "We got a written report we kept referring back to while we were renovating the third floor of the house." She added with that with the new insulation, a super-efficient washer, dryer, hot-water heater, and air conditioner, still her heating bills in the house stayed around \$500. So she said, "I can't say we've stopped the leaky air." As a matter of fact, with the third floor now in use for the first time ever because of all these efficiencies, she said, "Our energy bills actually stayed exactly the same."

So the article raises two important questions today for us here: the first question is if the State and local governments and local power companies have already taken the initiative to create these programs on a local level on their own, why are we creating a redundant program here on the Federal

level to do the same thing? Think about it. No doubt, local companies and governments know to a much greater extent than we in Congress whether creating these incentives for energy efficiencies really work from a financial point of view.

But the article also makes a broader point, and this is it: when we improve energy efficiency, we lower the cost of using energy, and, unsurprisingly, this also increases the demand for the energy. This has been documented way back since 1865, and no one has ever refuted it. And as pointed out in this Washington Post article, when she put in all these energy-efficient appliances and what have you, her energy use still stayed the same.

Here is a chart over here which sort of points this out. From 1991 to 2005, energy consumption of major appliances, how much that each use, actually has been going down, down, down for air conditioners, refrigerators, clothes washers, and the like. But look at what U.S. per capita electricity consumption has been. It has basically been going up. And why is that? That's because when you get these appliances that are more efficient, you end up using more of them and for longer periods of time. So U.S. per capita energy consumption increases even though we get even more energy-efficient appliances.

If you try to achieve energy efficiency on the demand side of the equation, as this legislation would do, we also have to be successful at addressing the supply side. And that's why I approach this issue of "all of the above" when it comes to energy policy.

The Democrat majority may continue to rewrite the laws in this country, but one thing they haven't been able to figure out how to do is rewrite the laws of economics.

So needless to say, I remain skeptical about the benefits of this bill, and that's why I am proposing an addition to this bill, basically a little study by the GAO to conduct an audit of the program to find out one way or the other if the programs created by this bill really work. My amendment would direct the GAO to do a couple of things, do a study over the next 2 years to find out the following: How much money really have we saved after we have spent all this money for efficiency? How much energy was really saved by all this? And finally, putting those together, whether the savings exceeded the cost of implementing this program.

When you consider the claims by the proponents of this legislation that this bill will save money, will save energy, and create thousands of jobs, I hope they won't object to this additional study here. But at a time when we have a trillion dollars in deficits in this country as far as the eye can see, at the very least the American taxpayer should know if his or her dollars are being spent efficiently.

Madam Chair, I reserve the balance of my time.

Mr. MARKEY of Massachusetts. Madam Chair, I rise in support of the amendment.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MARKEY of Massachusetts. Madam Chair, I yield myself 2 minutes.

I support the gentleman's amendment. The gentleman is seeking to have the GAO determine if the Silver and Gold Star programs are cost effective. We believe that those programs will save consumers \$9.2 billion over the next 10 years. We do believe that it will create 168,000 jobs, saved or created. And we do believe that it will, in fact, save the electricity equivalent to four 300-megawatt coal-fired plants from ever having to be built in our country just in 2011 alone. Home Star is designed to be cost efficient; so I believe that we will find the program to be very successful. But we don't object to a GAO study on the matter, and I would just express my support for the amendment.

Madam Chair, I yield back the balance of my time.

Mr. GARRETT of New Jersey. I appreciate the gentleman's acceptance of the amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MRS. BACHMANN

The CHAIR. It is now in order to consider amendment No. 8 printed in House Report 111-475.

Mrs. BACHMANN. Madam Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mrs. BACHMANN:

At the end of the bill, add the following new title:

TITLE III—WASTE, FRAUD, AND ABUSE
SEC. 301. REPORT.

The Department of Energy's Inspector General shall submit a report to Congress measuring the amount of waste, fraud, and abuse occurring in programs created by this Act, which shall include recommendations to prevent additional waste, fraud, and abuse. This report shall be submitted before July 1, 2012.

The CHAIR. Pursuant to House Resolution 1329, the gentlewoman from Minnesota (Mrs. BACHMANN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Minnesota.

□ 1400

Mrs. BACHMANN. Madam Chair, I yield myself such time as I may consume.

My amendment is founded on the principle that Congress has a certain fiduciary duty and responsibility to ensure that taxpayer dollars are not wasted on ineffectual and inefficient government programs.

My amendment will require the Department of Energy's Inspector General to independently report to Congress on incidents of waste, fraud, and abuse occurring in programs created by this bill. Further, the Inspector General will be required to include recommendations to prevent additional waste, fraud, and abuse.

I would direct our attention, Madam Chair, to the poster that is to my left. This is a phony project that was sent by the Government Accounting Office to the Department of Energy for the purpose of determining whether or not the Department of Energy would actually certify this project. And yes, it is actually a feather duster that had been taped to a space heater. Unfortunately, the Department of Energy did certify this project for the Energy Star program.

My amendment, the Bachmann amendment, would require the Inspector General's report be submitted by July 1, 2012. And as such, Congress would have the opportunity to reevaluate the programs in this act and correct them if necessary. Utilizing Congressional Budget Office estimates, this amendment could enable the effective oversight of over 1.2 billion United States taxpayer dollars.

Madam Chair, in order to improve government accountability and to restore a measure of fiscal integrity in Washington, I would urge my colleagues to join me in supporting this amendment.

I reserve the balance of my time.

Mr. MARKEY of Massachusetts. I rise in support of the Bachmann amendment.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. MARKEY of Massachusetts. I yield myself 2 minutes.

Madam Chair, for nearly 20 years, the Energy Star program has been raising awareness about energy efficiency and helping consumers reduce their energy bills. And I share my colleague's astonishment at the March GAO report that showed how easy it was to obtain Energy Star certification for products that didn't even exist.

We need to do all we can to restore the integrity of the Energy Star program. And I want to assure all of the Members that we have common cause in achieving that goal. But I also similarly want to assure all Members that no similar danger exists for waste and fraud in the Home Star program as opposed to the Energy Star program.

First, only real, proven energy-saving technologies are included in Home Star. A group of technical experts provided extensive input to establish a specific list of Silver Star products. Second, in contrast to Energy Star, which relied on self-certification of products, self-certification, the Home Star program uses an independent third-party quality assurance process to ensure that work is performed as promised.

Finally, Home Star relies on a professional and certified workforce to install energy efficiency measures. Under Silver Star, contractors must be licensed, insured, and warranted. Under Gold Star, contractors must be certified by the Building Performance Institute and other reputable organizations. We must ensure that Home Star lives up to its promises.

The CHAIR. The time of the gentleman has expired.

Mr. MARKEY of Massachusetts. I yield myself 1 additional minute.

I encourage my colleagues to defend the bill's quality assurance and certification provisions to guarantee that this program creates jobs and saves energy, as intended.

I support the amendment of the gentlelady. I think it will add a reinforcement to a program which we have already constructed that ensures that the kind of fraud that might be found in other kinds of programs are not in fact created in this program.

I urge an "aye" vote on the amendment of the gentlelady.

I reserve the balance of my time.

Mrs. BACHMANN. I thank the gentleman from Massachusetts for his support of my amendment, and I appreciate that, and urge my colleagues also to support the amendment as well.

I yield back the balance of my time.

Mr. MARKEY of Massachusetts. I yield back the balance of my time and encourage Members to vote "aye" on the Bachmann amendment.

The CHAIR. The question is on the amendment offered by the gentlewoman from Minnesota (Mrs. BACHMANN).

The amendment was agreed to.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111-475 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. BARTON of Texas.

Amendment No. 4 by Mr. BURGESS of Texas.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. BARTON OF TEXAS

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BARTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 180, noes 237, not voting 19, as follows:

[Roll No. 252]

AYES—180

Aderholt	Galleghy	Mitchell
Akin	Garrett (NJ)	Moran (KS)
Alexander	Gerlach	Murphy, Tim
Austria	Gingrey (GA)	Myrick
Bachmann	Gohmert	Neugebauer
Bachus	Goodlatte	Nunes
Bartlett	Granger	Nye
Barton (TX)	Graves	Olson
Biggert	Griffith	Paul
Bilbray	Hall (TX)	Paulsen
Bilirakis	Harper	Pence
Bishop (UT)	Hastings (WA)	Petri
Blunt	Heller	Poe (TX)
Boccieri	Hensarling	Posey
Boehner	Herger	Price (GA)
Bono Mack	Hersteth Sandlin	Putnam
Boozman	Hunter	Radanovich
Boren	Inglis	Rehberg
Boustany	Issa	Reichert
Brady (TX)	Jenkins	Roe (TN)
Bright	Johnson (IL)	Rogers (AL)
Broun (GA)	Johnson, Sam	Rogers (KY)
Brown (SC)	Jones	Rogers (MI)
Brown-Waite,	Jordan (OH)	Rohrabacher
Ginny	King (IA)	Rooney
Buchanan	King (NY)	Ros-Lehtinen
Burgess	Kingston	Roskam
Burton (IN)	Kirk	Royce
Buyer	Kirkpatrick (AZ)	Ryan (WI)
Calvert	Kline (MN)	Scalise
Camp	Lamborn	Schauer
Cantor	Lance	Schmidt
Cao	Latham	Schock
Capito	LaTourette	Sensenbrenner
Carney	Latta	Sessions
Carter	Lee (NY)	Shadegg
Cassidy	Lewis (CA)	Shimkus
Chaffetz	Linder	Shuster
Chandler	LoBiondo	Simpson
Coble	Lucas	Smith (NE)
Coffman (CO)	Luetkemeyer	Smith (NJ)
Cole	Lummis	Smith (TX)
Conaway	Lungren, Daniel	Souder
Crenshaw	E.	Stearns
Culberson	Mack	Sullivan
Davis (KY)	Manzullo	Taylor
Dent	Marchant	Terry
Diaz-Balart, L.	Markey (CO)	Thompson (PA)
Diaz-Balart, M.	Marshall	Thornberry
Dreier	McCarthy (CA)	Tiahrt
Duncan	McCaul	Tiberi
Edwards (TX)	McClintock	Turner
Emerson	McCotter	Upton
Fallin	McHenry	Walden
Flake	McKeon	Westmoreland
Fleming	McMorris	Whitfield
Forbes	Rodgers	Wilson (SC)
Fortenberry	Mica	Wittman
Fox	Miller (FL)	Wolf
Franks (AZ)	Miller (MI)	Young (AK)
Frelinghuysen	Miller, Gary	Young (FL)

NOES—237

Ackerman	Chu	Engel
Adler (NJ)	Clarke	Eshoo
Altmire	Clay	Etheridge
Andrews	Cleaver	Farr
Arcuri	Clyburn	Fattah
Baca	Cohen	Filner
Baird	Connolly (VA)	Foster
Baldwin	Conyers	Frank (MA)
Barrow	Cooper	Fudge
Bean	Costa	Garamendi
Becerra	Costello	Giffords
Berkley	Courtney	Gonzalez
Berman	Crowley	Gordon (TN)
Berry	Cuellar	Grayson
Bishop (GA)	Cummings	Green, Al
Bishop (NY)	Dahlkemper	Green, Gene
Blumenauer	Davis (CA)	Grijalva
Bordallo	Davis (IL)	Gutierrez
Boswell	Davis (TN)	Hall (NY)
Boucher	DeFazio	Halvorson
Boyd	Delahunt	Hare
Brady (PA)	DeLauro	Harman
Braley (IA)	Deutch	Hastings (FL)
Brown, Corrine	Dicks	Heinrich
Butterfield	Dingell	Higgins
Capps	Doggett	Hill
Capuano	Donnelly (IN)	Himes
Cardoza	Doyle	Hinche
Carnahan	Driehaus	Hinojosa
Carson (IN)	Edwards (MD)	Hirono
Castor (FL)	Ehlers	Hodes
Childers	Ellison	Holden
Christensen	Ellsworth	Holt

Honda	Miller (NC)	Schakowsky
Hoyer	Miller, George	Schiff
Inlee	Minnick	Schrader
Israel	Moore (KS)	Schwartz
Jackson (IL)	Moore (WI)	Scott (GA)
Jackson Lee	Murphy (CT)	Scott (VA)
(TX)	Murphy (NY)	Serrano
Johnson (GA)	Murphy, Patrick	Sestak
Johnson, E. B.	Nadler (NY)	Shea-Porter
Kagen	Napolitano	Sherman
Kanjorski	Neal (MA)	Shuler
Kaptur	Norton	Sires
Kildee	Oberstar	Skelton
Kilpatrick (MI)	Oliver	Slaughter
Kilroy	Ortiz	Smith (WA)
Kind	Owens	Snyder
Kissell	Pallone	Space
Klein (FL)	Pascarell	Speier
Kosmas	Pastor (AZ)	Spratt
Kratovil	Payne	Stark
Kucinich	Perlmutter	Stupak
Langevin	Perriello	Sutton
Larsen (WA)	Peters	Tanner
Larson (CT)	Peterson	Teague
Lee (CA)	Pierluisi	Thompson (CA)
Levin	Pingree (ME)	Thompson (MS)
Lewis (GA)	Polis (CO)	Tierney
Lipinski	Pomeroy	Titus
Loeb sack	Price (NC)	Tonko
Lofgren, Zoe	Quigley	Towns
Lowe	Rahall	Tsongas
Lujan	Rangel	Van Hollen
Lynch	Reyes	Velázquez
Maffei	Richardson	Visclosky
Maloney	Rodriguez	Walz
Markey (MA)	Ross	Wasserman
Matheson	Rothman (NJ)	Schultz
Matsui	Roybal-Allard	Waters
McCarthy (NY)	Ruppersberger	Watson
McDermott	Rush	Watt
McGovern	Ryan (OH)	Waxman
McIntyre	Sablan	Weiner
McMahon	Salazar	Welch
McNerney	Sánchez, Linda	Wilson (OH)
Meek (FL)	T.	Woolsey
Meeks (NY)	Sanchez, Loretta	Wu
Michaud	Sarbanes	Yarmuth

NOT VOTING—19

Barrett (SC)	Faleomavaega	Moran (VA)
Blackburn	Guthrie	Obey
Bonner	Hoekstra	Pitts
Campbell	Kennedy	Platts
Castle	McCollum	Wamp
Davis (AL)	Melancon	
DeGette	Mollohan	

□ 1435

Messrs. SPRATT, SALAZAR, CAPUANO, CONYERS, RUSH, YARMUTH, FATTAH, WILSON of Ohio, SCOTT of Georgia, RANGEL, BRALEY of Iowa, MCNERNEY, ACKERMAN, PASCARELL, BUTTERFIELD, FARR, HODES, SCHRADER, CARNAHAN, BERMAN, KAGEN, CLEAVER, KUCINICH, PERRIELLO, OLIVER, MARKEY of Massachusetts and Mrs. CAPPS, Ms. HARMAN, Ms. MOORE of Wisconsin, Ms. SLAUGHTER, Ms. TSONGAS and Ms. SPEIER changed their vote from "aye" to "no."

Messrs. GALLEGLY, ALEXANDER, MANZULLO, GARY G. MILLER of California and BOEHNER and Ms. MARKEY of Colorado changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. BURGESS

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. BURGESS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 228, not voting 18, as follows:

[Roll No. 253]

AYES—190

Aderholt	Franks (AZ)	Myrick
Alexander	Frelinghuysen	Neugebauer
Arcuri	Gallely	Nunes
Austria	Garrett (NJ)	Nye
Bachmann	Gerlach	Olson
Bachus	Gingrey (GA)	Paul
Bartlett	Gohmert	Paulsen
Barton (TX)	Goodlatte	Pence
Biggert	Gordon (TN)	Perriello
Bilbray	Granger	Peters
Bilirakis	Graves	Petri
Bishop (UT)	Griffith	Platts
Blunt	Hall (TX)	Poe (TX)
Boehner	Harper	Posey
Bono Mack	Hastings (WA)	Price (GA)
Boozman	Heller	Putnam
Boren	Hensarling	Radanovich
Boustany	Herger	Rehberg
Brady (TX)	Hunter	Reichert
Broun (GA)	Inglis	Roe (TN)
Brown (SC)	Issa	Rogers (AL)
Brown-Waite,	Jenkins	Rogers (KY)
Ginny	Johnson (IL)	Rogers (MI)
Buchanan	Johnson, Sam	Rohrabacher
Burgess	Jones	Rooney
Burton (IN)	Jordan (OH)	Ros-Lehtinen
Buyer	Kilroy	Roskam
Calvert	King (IA)	Royce
Camp	King (NY)	Ryan (WI)
Cantor	Kingston	Sanchez, Loretta
Cao	Kirk	Scalise
Capito	Kirkpatrick (AZ)	Schauer
Cardoza	Kline (MN)	Schmidt
Carney	Lamborn	Schock
Carter	Lance	Schrader
Cassidy	Latham	Sensenbrenner
Castle	LaTourette	Sessions
Chaffetz	Latta	Shadegg
Childers	Lee (NY)	Shimkus
Coble	Lewis (CA)	Shuster
Coffman (CO)	Linder	Simpson
Cole	LoBiondo	Smith (NE)
Conaway	Lucas	Smith (NJ)
Costa	Luetkemeyer	Smith (TX)
Crenshaw	Lummis	Souder
Culberson	Mack	Stearns
Davis (KY)	Manzullo	Sullivan
Dent	Marchant	Taylor
Diaz-Balart, L.	Marshall	Teague
Diaz-Balart, M.	McCarthy (CA)	Terry
Doggett	McCaul	Thompson (PA)
Donnelly (IN)	McClintock	Thornberry
Dreier	McCotter	Tiahrt
Duncan	McHenry	Tiberi
Edwards (TX)	McKeon	Turner
Ehlers	McMorris	Upton
Ellsworth	Rodgers	Walden
Emerson	Mica	Westmoreland
Fallin	Miller (FL)	Whitfield
Flake	Miller (MI)	Wilson (SC)
Fleming	Miller, Gary	Wittman
Forbes	Moran (KS)	Wolf
Fortenberry	Murphy (NY)	Young (AK)
Foxx	Murphy, Tim	Young (FL)

NOES—228

Ackerman	Blumenauer	Chandler
Adler (NJ)	Bocieri	Christensen
Altmire	Bordallo	Chu
Andrews	Boswell	Clarke
Baca	Boucher	Clay
Baird	Boyd	Cleaver
Baldwin	Brady (PA)	Clyburn
Barrow	Braley (IA)	Cohen
Bean	Bright	Connolly (VA)
Becerra	Butterfield	Conyers
Berkley	Capps	Cooper
Berman	Capuano	Costello
Berry	Carmahan	Courtney
Bishop (GA)	Carson (IN)	Crowley
Bishop (NY)	Castor (FL)	Cuellar

Cummings	Kissell	Rahall
Dahlkemper	Klein (FL)	Rangel
Davis (CA)	Kosmas	Reyes
Davis (IL)	Kratovil	Richardson
Davis (TN)	Kucinich	Rodriguez
DeFazio	Langevin	Ross
Delahunt	Larsen (WA)	Rothman (NJ)
DeLauro	Larson (CT)	Roybal-Allard
Deutch	Lee (CA)	Ruppersberger
Dicks	Levin	Rush
Dingell	Lewis (GA)	Ryan (OH)
Doyle	Lipinski	Sablan
Driehaus	Loebsack	Salazar
Edwards (MD)	Lofgren, Zoe	Sanchez, Linda
Ellison	Lowe	T.
Engel	Lujan	Sarbanes
Eshoo	Lungren, Daniel	Schakowsky
Etheridge	E.	Schiff
Farr	Lynch	Schwartz
Fattah	Maffei	Scott (GA)
Finer	Maloney	Scott (VA)
Foster	Markey (CO)	Serrano
Frank (MA)	Markey (MA)	Sestak
Fudge	Matheson	Shea-Porter
Garamendi	Matsui	Sherman
Giffords	McCarthy (NY)	Shuler
Gonzalez	McDermott	Sires
Grayson	McGovern	Skelton
Green, Al	McIntyre	Slaughter
Green, Gene	McMahon	Smith (WA)
Grijalva	McNerney	Snyder
Gutierrez	Meek (FL)	Space
Hall (NY)	Meeks (NY)	Speier
Halvorson	Michaud	Spratt
Hare	Miller (NC)	Stark
Harman	Miller, George	Stupak
Hastings (FL)	Minnick	Sutton
Heinrich	Mitchell	Tanner
Herseeth Sandlin	Moore (KS)	Thompson (CA)
Higgins	Moore (WI)	Thompson (MS)
Hill	Moran (VA)	Tierney
Himes	Murphy (CT)	Titus
Hinche	Murphy, Patrick	Tonko
Hinojosa	Nadler (NY)	Towns
Hirono	Napolitano	Tsongas
Hodes	Neal (MA)	Van Hollen
Holden	Norton	Velazquez
Holt	Oberstar	Visclosky
Honda	Olver	Walz
Hoyer	Ortiz	Wasserman
Inslee	Owens	Schultz
Israel	Pallone	Waters
Jackson (IL)	Pascarell	Watson
Jackson Lee	Pastor (AZ)	Watt
(TX)	Payne	Waxman
Johnson (GA)	Perlmutter	Weiner
Johnson, E. B.	Peterson	Welch
Kagen	Pierluisi	Wilson (OH)
Kanjorski	Pingree (ME)	Woolsey
Kaptur	Polis (CO)	Wu
Kildee	Pomeroy	Yarmuth
Kilpatrick (MI)	Price (NC)	
Kind	Quigley	

NOT VOTING—18

Akin	Davis (AL)	McCollum
Barrett (SC)	DeGette	Melancon
Blackburn	Faleomavaega	Mollohan
Bonner	Guthrie	Obey
Brown, Corrine	Hoekstra	Pitts
Campbell	Kennedy	Wamp

ANNOUNCEMENT BY THE CHAIR

The CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1442

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SERRANO) having assumed the chair, Ms. EDWARDS of Maryland, Chair of the Committee of the Whole House on the State of the Union, reported that that

Committee, having had under consideration the bill (H.R. 5019) to provide for the establishment of the Home Star Retrofit Rebate Program, and for other purposes, pursuant to House Resolution 1329, she reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BARTON of Texas. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BARTON of Texas. Mr. Speaker, in its current form I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Barton of Texas moves to recommit the bill H.R. 5019 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendments:

Page 6, lines 3 through 6, strike paragraph (12) (and redesignate the subsequent paragraphs accordingly).

Page 11, line 24, through page 12, line 1, strike "notice of" and all that follows through "the amount" and insert "notice of the amount".

Page 12, line 2, insert "on the homeowner's behalf" after "apply for".

Page 12, line 5, strike "and".

Page 12, lines 6 and 7, strike subparagraph (B).

Page 12, lines 8 and 12, redesignate paragraphs (6) and (7) as paragraphs (7) and (8), respectively.

Page 12, after line 7, insert the following new paragraph:

(6) certifying that no employee has been convicted of, or pleaded guilty to, a crime of sexual molestation, rape, or any other form of sexual assault;

Page 12, line 16, strike "112" and insert "110".

Page 21, after line 10, insert the following new subsection:

(o) INCOME THRESHOLD.—Homeowners with a gross annual household income of more than \$250,000 shall not be eligible for a rebate under this title.

Page 21, lines 14 through 16, strike "to participating contractors and vendors, to reimburse those contractors and vendors for discounts provided to homeowners" and insert "to homeowners to reimburse the homeowners for work provided by participating contractors and vendors".

Page 25, lines 18 through 21, strike "to participating contractors and vendors, to reimburse them for discounts provided to the owner of the home for the retrofit work" and insert "to homeowners to reimburse the homeowners for work provided by participating contractors and vendors".

Page 35, line 24, through page 36, line 1, strike "., as a function of the discount the contractor or vendor provides to the homeowner for the installed measures."

Page 39, lines 12 and 13, strike “discount from a contractor or vendor for which a rebate is provided under subsection (a)” and insert “rebate”.

Page 42, lines 6 through 8, strike “to participating accredited contractors and vendors, to reimburse them for discounts provided to the owner of the home for the retrofit work” and insert “to homeowners to reimburse the homeowners for work provided by participating accredited contractors and vendors”.

Page 48, lines 2 and 3, strike “discount from a contractor or vendor for which a rebate is provided under this section” and insert “rebate”.

Page 49, lines 16 and 17, strike “Secretary” and all that follows through “may” and insert “Secretary may”.

Page 49, lines 18 and 20, redesignate clauses (i) and (ii) as subparagraphs (A) and (B), respectively.

Page 49, line 22, strike “; and” and insert a period.

Page 49, line 23, through page 50, line 3, strike subparagraph (B).

Page 50, after line 3, insert the following new subsection:

(g) EXCLUSION.—For purposes of this section, energy savings measures shall not include the installation or replacement of pool heaters.

Page 52, line 9, insert “and” after the semicolon.

Page 52, line 11, strike “and”.

Page 52, lines 12 through 22, strike clause (iv).

Page 53, line 16, strike “112” and insert “110”.

Page 58, lines 6 through 16, strike section 109.

Page 58, line 17, redesignate section 110 as section 109.

Page 59, line 7, through page 65, line 16, strike section 111.

Page 65, line 17, redesignate section 112 as section 110.

Page 65, line 19, strike “subsection (j)” and insert “subsection (i)”.

Page 66, line 18, insert “and” after the semicolon.

Page 66, lines 19 through 21, strike subparagraph (D).

Page 66, line 22, redesignate subparagraph (E) as subparagraph (D).

Page 67, lines 1 through 3, strike paragraph (2).

Page 67, line 4, redesignate paragraph (3) as paragraph (2).

Page 68, lines 3 and 9, redesignate paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

Page 69, line 4, strike “subsection (b)(3)(B)” and insert “subsection (b)(2)(B)”.

Page 70, lines 17 through 21, strike subsection (e) and redesignate the subsequent subsections accordingly).

Page 71, line 1, strike “subsections (b), (d), and (e)” and insert “subsections (b) and (d)”.

Page 71, lines 13 and 14, strike “subsections (b), (d), and (e)” and insert “subsections (b) and (d)”.

Page 72, line 8, strike “, 110, and 111” and insert “and 109”.

Page 72, after line 13, insert the following new subsection:

(j) ADMINISTRATIVE EXPENSE PROHIBITION.—No funds provided under this title shall be used for the purposes of conducting travel to gambling or gaming establishments in connection with official duties related to this title.

At the end of the bill, add the following new title:

TITLE III—DEFICIT NEUTRALITY **SEC. 301. SUNSET.**

The provisions of this Act shall be suspended and shall not apply if this Act will

have a negative net effect on the national budget deficit of the United States.

Mr. BARTON of Texas (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. WAXMAN. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. WAXMAN. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will continue to read.

The Clerk continued to read.

□ 1445

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON of Texas. I thank the distinguished Speaker.

Now that the Members know exactly what is in the motion to recommit—I am sure you all listened to every word that the Clerk read—let me explain it in Texas terms very quickly before I yield to Mr. LATTA.

The first thing that the motion to recommit would do would be to sunset the legislation if it has a negative effect on the Federal budget deficit. Mr. LATTA is going to speak about that in a second.

It would change the rebate mechanism in the pending bill so that the money would go to the homeowner instead of to the contractor. We think this would be more efficient and less susceptible to fraud.

It strikes the \$12 million EPA public information campaign which was the purpose of the Burgess amendment which was defeated earlier.

It strikes the \$324 million Home Star energy efficiency loan program.

It would exclude pool heaters from the Gold Star program. If people have enough money to have a home swimming pool in their backyard, they probably don't need a government program for a home swimming pool heater.

It would disqualify participation by homeowners with a gross annual income of over \$250,000. As President Obama has pointed out, if you make more than \$250,000, you're doing pretty well.

It would require qualified contractors to certify that no employee they employ has been convicted of a crime of child molestation, rape, or any other form of sexual assault.

And, finally, it would prohibit any use of the Home Star funds for folks on government business traveling to areas where there are establishments for gaming.

With that, I would yield to my good friend from Ohio (Mr. LATTA) for him to talk a little more about his specific deficit reduction amendment.

Mr. LATTA. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the motion to recommit for H.R.

5019. As I stated earlier during floor debate, I have very serious concerns that my amendment regarding deficit neutrality was not accepted through the rules process. The majority has not allowed the debate to occur regarding this budget deficit issue.

This MTR will ensure that this act is sunsetted if the legislation has a negative net effect on the Federal budget deficit. I feel that if this new program is important enough to authorize, it should be important enough for us to find a way to pay for it. I am concerned that the majority could not give any assurance that this bill will indeed be paid for without increasing the deficit.

While I support the incentives to help provide energy efficiency, I am very concerned about the \$6.6 billion price tag of this legislation. At a time when we are in a national deficit crisis, it is not appropriate to add \$6.6 billion in spending to the deficit. As a Congress, we absolutely must stop this excessive spending. President Obama submitted his administration's fiscal year 2011 budget proposal with a record-breaking cost of \$3.8 trillion. This budget proposal includes a \$2 trillion tax increase over the next 10 years, and projected record deficits. This proposal will double our Nation's debt in 5 years and triple it in 10 years from fiscal year 2008 levels. CBO has stated that under the current spending levels, by 2020, American taxpayers will be paying \$2 billion per day in interest on the national debt. It also estimates that by 2020 the debt will be \$20 trillion.

This simply is not the time for a new \$6.6 billion government program. That is why I offered the amendment to the legislation regarding the national deficit and why I urge you to support the motion to recommit. It ensures fiscal responsibility and ensures taxpayer dollars will be spent wisely.

I urge a “yes” vote on the MTR.

Mr. BARTON of Texas. Mr. Speaker, the substantive parts of the motion to recommit are pretty straightforward. It would sunset the legislation if there is a negative net effect on the Federal budget deficit. That is the Latta language that we have already spoken to.

It would change the rebate mechanisms so that the rebates go to the homeowner and not to the contractor. This would limit fraud and abuse.

It strikes the \$12 million EPA public information campaign. As I pointed out in my floor statement, bees know where the honey is, bank robbers know where the bank is, teenage boys know where the teenage girls are, the public will know how to get this money.

And finally, it strikes the Home Star energy efficiency loan program. We already have record defaults in the home mortgage industry. We don't need to be leveraging that any bit more. With that, I would ask for a “yes” vote on the motion to recommit.

I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I withdraw my reservation, and I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The reservation is withdrawn.

The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Speaker and my colleagues, this bill is modeled on a law that worked. We called it the Cash for Clunkers bill. It encouraged people to buy cars. It produced more jobs. It produced energy efficiency as newer cars that were purchased were less polluting than the older ones. And the bill we have before us is one that is strongly supported by a coalition of the National Association of Manufacturers, the environmentalists and the Chamber of Commerce.

So what does this motion to recommit do? It undermines the basic structure of the bill. It eliminates the rebates to contractors. It eliminates the loan program. It eliminates the public education campaign. It creates burdensome procedures for consumers to claim rebates, and it creates burdensome income thresholds as well.

We have worked hand in hand with the contractors, the NAM, the Chamber, and others to craft this bill. This motion to recommit is a good thing to vote for if you are against the bill; but otherwise, it is filled with a lot of gimmicks. For example, it says no funds provided under this title shall be used for the purposes of conducting travel to gambling or gaming establishments in connection with official duties related to the title. What is that all about? It was just thrown in. It was never an issue that was raised in committee, in hearings. It was just thrown in there.

If you believe that this bill makes sense because it will provide employment to construction workers, it will make homes more energy efficient, it will save families billions of dollars on their energy bill, if you think that is important, because the construction industry has the highest unemployment rate of any sector in the Nation, one in four are unemployed, stand with the Chamber, the NAM, your local hardware stores, your carpenters, your local contractors and businesses, and vote against this motion to recommit and vote for final passage.

□ 1500

Mr. Speaker, I would now like to yield to the gentleman from Vermont, the author of the legislation.

Mr. BARTON of Texas. Would the gentleman yield briefly for an answer to his question?

Mr. WAXMAN. I'm sorry. I do not have extra time.

Mr. WELCH. Mr. Speaker, may I inquire as to how much time we have remaining.

The SPEAKER pro tempore. The gentleman from California has 2½ minutes remaining.

Mr. WELCH. Mr. Speaker, we have a common goal here, and that is to put the 25 percent of construction workers who are out of work back to work. Home Start helps them do that. It will help homeowners who want to save en-

ergy and save on their fuel bills to do that. This bill accomplishes that. And we want jobs in America. Mr. Speaker, 90 percent of all the materials that go into refitting and insulating homes are manufactured in the United States of America, a common goal. This is a good bill.

Mr. Speaker, I want to acknowledge that it is a better bill because of the active contributions and participation of our colleagues on the other side. I can name numerous additions. Mr. BARTON, thank you for the specific sun-sets so that we can kick the tires after 2 years. Mr. SHADEGG, electric tankless hot water heaters are in this bill because of you. Mr. SHIMKUS, geothermal heat pumps are a good idea that we incorporated into this bill. Mr. BUYER, you included a study so we can learn from the success of this program. And I want to thank, of course, Mr. EHLERS, who understands that less is more. The less energy we use, the better.

The difficulty with this motion to recommit is all that good work that was done on your side to make this a better bill will kill the bill. It will impose enormous burdens on the homeowner. What makes sense here and why the former Governor of Michigan likes this so much is that it is simple. A homeowner who wants to retrofit, insulate his or her home, all they will have to do is go down to the contractor. They don't have to hassle with paperwork and with government. That's the reason why we designed it this way, to make it easy for people to use and contractors to use.

We have a chance in this legislation to take a practical step to move to use less energy rather than more; and whether you're from a coal State, a nuclear State, a hydro State, that's a good thing. We have a chance to put folks who are out of work back to work. We have red districts and blue districts, but we've got carpenters and plumbers and heaters who are out of work in both districts. We share the goal of those folks going back to work. We've got manufacturers in this country that have capacity and that want to put people back to work in their communities. We can do it with this legislation.

I urge a "no" vote on this motion to recommit and to take that step together in building this country and this economy.

Mr. BLUMENAUER. Mr. Speaker, I will vote against the Motion to Recommit on the Home Star Energy Retrofit Act because it undermines the underlying legislation. The Home Star legislation will help homeowners, the environment, and the construction industry.

This Motion to Recommit is a political ploy. It aims to solve problems that no one has shown exist. It brings up issues that were never raised in Committee or on the Floor during consideration of the bill.

Specifically, this Motion removes provisions in the legislation that I strongly support, such as the energy efficiency loan program, which provides important tools for states to help consumers make energy efficiency upgrades.

The Motion adds additional burdens for contractors who are performing the work, sowing doubt and confusion in the program. At a time when we are trying to stimulate the economy and create jobs, it doesn't make sense to add additional meaningless procedural hurdles. The authors of the Motion claim to be preventing money from being spent on child molesters and gambling. Money from this bill is not going to be spent on those items anyway. No one has demonstrated that is an issue we need to deal with. If so, there are already anti-fraud provisions in the underlying legislation that would prevent this type of activity. The Motion contains no enforcement mechanisms, so any additional prohibitions are meaningless.

This Motion is another example of how the Republican leadership has chosen to work to score political points instead of taking seriously the challenges facing our country.

Mr. WAXMAN. I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. BARTON of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 346, nays 68, not voting 16, as follows:

[Roll No. 254]

YEAS—346

Ackerman	Burgess	DeLauro
Aderholt	Burton (IN)	Dent
Adler (NJ)	Butterfield	Deutch
Akin	Buyer	Diaz-Balart, L.
Alexander	Calvert	Diaz-Balart, M.
Altmire	Camp	Dicks
Arcuri	Cantor	Doggett
Austria	Cao	Donnelly (IN)
Baca	Capito	Doyle
Bachmann	Capuano	Dreier
Bachus	Cardoza	Driehaus
Barrow	Carnahan	Duncan
Bartlett	Carney	Edwards (MD)
Barton (TX)	Carson (IN)	Edwards (TX)
Bean	Carter	Ehlers
Berry	Cassidy	Ellison
Biggert	Castle	Ellsworth
Blibray	Castor (FL)	Emerson
Bilirakis	Chaffetz	Eshoo
Bishop (GA)	Chandler	Etheridge
Bishop (NY)	Childers	Fallin
Bishop (UT)	Coble	Fattah
Blunt	Coffman (CO)	Flake
Bocchieri	Cohen	Fleming
Boehner	Cole	Forbes
Bono Mack	Conaway	Fortenberry
Boozman	Connolly (VA)	Foster
Boren	Cooper	Fox
Boswell	Costa	Franks (AZ)
Boucher	Costello	Frelinghuysen
Boustany	Courtney	Gallagher
Boyd	Crenshaw	Garamendi
Brady (PA)	Crowley	Garrett (NJ)
Brady (TX)	Cuellar	Gerlach
Braley (IA)	Culberson	Giffords
Bright	Cummings	Gingrey (GA)
Broun (GA)	Dahlkemper	Gohmert
Brown (SC)	Davis (CA)	Gonzalez
Brown-Waite,	Davis (KY)	Goodlatte
Ginny	Davis (TN)	Gordon (TN)
Buchanan	DeFazio	Granger

Graves	Lynch	Rooney
Grayson	Mack	Ros-Lehtinen
Green, Al	Maffei	Roskam
Green, Gene	Maloney	Ross
Griffith	Manzullo	Roybal-Allard
Gutierrez	Marchant	Royce
Hall (NY)	Markey (CO)	Ruppersberger
Hall (TX)	Marshall	Ryan (WI)
Halvorson	Matheson	Salazar
Hare	Matsui	Sarbanes
Harman	McCarthy (CA)	Scalise
Harper	McCarthy (NY)	Schauer
Hastings (WA)	McCaul	Schiff
Heinrich	McClintock	Schmidt
Hensarling	McCotter	Schock
Herger	McGovern	Schrader
Herseth Sandlin	McHenry	Schwartz
Higgins	McIntyre	Scott (GA)
Hill	McKeon	Sensenbrenner
Himes	McMahon	Serrano
Hodes	McMorris	Sessions
Holden	Rodgers	Sestak
Hunter	McNerney	Shadeeg
Inglis	Meek (FL)	Shea-Porter
Inslee	Meeks (NY)	Sherman
Israel	Mica	Shimkus
Issa	Miller (FL)	Shuler
Jackson (IL)	Miller (MI)	Shuster
Jackson Lee	Miller (NC)	Simpson
(TX)	Miller, Gary	Skelton
Jenkins	Miller, George	Slaughter
Johnson (GA)	Minnick	Smith (NE)
Johnson (IL)	Mitchell	Smith (NJ)
Johnson, E. B.	Moore (KS)	Smith (TX)
Johnson, Sam	Moran (KS)	Smith (WA)
Jones	Murphy (CT)	Snyder
Jordan (OH)	Murphy (NY)	Souder
Kagen	Murphy, Patrick	Space
Kaptur	Murphy, Tim	Speier
Kildee	Myrick	Spratt
Kilroy	Neal (MA)	Stearns
Kind	Neugebauer	Sullivan
King (IA)	Nunes	Sutton
King (NY)	Nye	Tanner
Kingston	Olson	Taylor
Kirk	Ortiz	Teague
Kirkpatrick (AZ)	Owens	Terry
Kissell	Pastor (AZ)	Thompson (CA)
Klein (FL)	Paul	Thompson (PA)
Kline (MN)	Paulsen	Thornberry
Kosmas	Pence	Tiahrt
Kratovil	Perlmutter	Tiberi
Kucinich	Perriello	Tierney
Lamborn	Peters	Tonko
Lance	Peterson	Tsongas
Langevin	Petri	Turner
Larsen (WA)	Platts	Upton
Larson (CT)	Poe (TX)	Van Hollen
Latham	Polis (CO)	Visclosky
LaTourette	Pomeroy	Walden
Latta	Posey	Walz
Lee (NY)	Price (GA)	Wasserman
Levin	Price (NC)	Schultz
Lewis (CA)	Putnam	Weiner
Lewis (GA)	Quigley	Westmoreland
Linder	Radanovich	Whitfield
Lipinski	Rahall	Wilson (OH)
LoBiondo	Rangel	Wilson (SC)
Loeb sack	Rehberg	Wittman
Lofgren, Zoe	Reichert	Wolf
Lowey	Richardson	Wu
Lucas	Rodriguez	Yarmuth
Luetkemeyer	Roe (TN)	Young (AK)
Lujan	Rogers (AL)	Young (FL)
Lummis	Rogers (KY)	
Lungren, Daniel	Rogers (MI)	
E.	Rohrabacher	

NAYS—68

Andrews	Frank (MA)	Napolitano
Baird	Fudge	Oberstar
Baldwin	Grijalva	Olver
Becerra	Hastings (FL)	Pallone
Berkley	Heller	Pascarell
Berman	Hinche	Payne
Blumenauer	Hinojosa	Pingree (ME)
Capps	Hirono	Reyes
Chu	Holt	Rothman (NJ)
Clarke	Honda	Rush
Clay	Hoyer	Ryan (OH)
Cleaver	Kanjorski	Sánchez, Linda
Clyburn	Kilpatrick (MI)	T.
Conyers	Lee (CA)	Sanchez, Loretta
Davis (IL)	Markey (MA)	Schakowsky
Delahunt	McDermott	Scott (VA)
Dingell	Michaud	Sires
Engel	Moore (WI)	Stark
Farr	Moran (VA)	Stupak
Filner	Nadler (NY)	Thompson (MS)

Titus	Waters	Waxman
Towns	Watson	Welch
Velázquez	Watt	Woolsey

NOT VOTING—16

Barrett (SC)	DeGette	Mollohan
Blackburn	Guthrie	Obey
Bonner	Hoekstra	Pitts
Brown, Corrine	Kennedy	Wamp
Campbell	McCollum	
Davis (AL)	Melancon	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1537

Messrs. HOLDEN, POMEROY, ROSS, COURTNEY, Ms. ZOE LOFGREN of California, Messrs. MATHESON, PAS-TOR, Mrs. HALVORSON, Messrs. SCHIFF, WALZ, LYNCH, BARROW, HARE, Ms. HARMAN, Messrs. WEINER, HEINRICH, PETERSON, DEFAZIO, ETHERIDGE, HODES, POLIS, Ms. SPEIER, Messrs. SMITH of Washington, MEEK of Florida, RA-HALL, DRIEHAUS, SALAZAR, COSTELLO, Ms. MARKEY of Colorado, Ms. DELAURO, Messrs. CARDOZA, MOORE of Kansas, WU, LIPINSKI, RODRIGUEZ, Mrs. DAHLKEMPER, Mr. DICKS, Ms. SLAUGHTER, Mr. QUIGLEY, Ms. KILROY, Messrs. SERRANO, KISSELL, PERLMUTTER, HIMES, BACA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. YARMUTH, Mrs. MALONEY, Messrs. SPRATT, KIND, Ms. SUTTON, Mr. KAGEN, Ms. KAPTUR, Mr. BOUCHER, Mrs. DAVIS of California, Messrs. MEEKS of New York, LEVIN, TANNER, GORDON of Tennessee, VISCLOSKY, LARSEN of Washington, PRICE of North Carolina, KLEIN of Florida, LANGEVIN, MCGOVERN, CAPUANO, Mrs. MCCAR-THY of New York, Mr. CARNAHAN, Ms. WASSERMAN SCHULTZ, Messrs. MILLER of North Carolina, WILSON of Ohio, NEAL, TONKO, LARSON of Con-necticut, Ms. SCHWARTZ, Messrs. LUJÁN, PATRICK J. MURPHY of Pennsylvania, HIGGINS, KUCINICH, ISRAEL, CUELLAR, BISHOP of New York, Ms. BEAN, Messrs. HALL of New York, AL GREEN of Texas, COOPER, RUPPERSBERGER, DEUTCH, BRALEY of Iowa, BOSWELL, VAN HOLLEN, BERRY, ORTIZ, FATTAH, CARSON of Indiana, SCOTT of Geor-gia, MURPHY of Connecticut, LOEBSACK, BISHOP of Georgia, GON-ZALEZ, DOYLE, BRADY of Pennsyl-vania, Mrs. LOWEY, Messrs. GARAMENDI, TIERNEY, ELLISON, KILDEE, BUTTERFIELD, CUMMINGS, Ms. MATSUI, Mr. JACKSON of Illinois, Ms. CASTOR of Florida, Mr. THOMP-SON of California, Ms. TSONGAS, Mr. SESTAK, Ms. JACKSON LEE of Texas, Messrs. JOHNSON of Georgia, SHER-MAN, INSLEE, GEORGE MILLER of California, Ms. EDWARDS of Mary-land, Messrs. DOGGETT, LEWIS of Georgia, Ms. ROYBAL-ALLARD, Messrs. GUTIERREZ, SNYDER, CROW-LEY, ACKERMAN, Ms. ESHOO, Mr. COHEN, Ms. RICHARDSON, Messrs. GENE GREEN of Texas, RANGEL, SARBANES, and GRAYSON changed their vote from “nay” to “yea.”

Messrs. CONYERS and PALLONE changed their vote from “yea” to “nay.”

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. WAXMAN. Mr. Speaker, pursu-ant to the instructions of the House in the motion to recommit, I report the bill, H.R. 5019, back to the House with an amendment.

The SPEAKER pro tempore (Mr. JACKSON of Illinois). The Clerk will re-port the amendment.

The Clerk read as follows:

Amendment offered by Mr. WAXMAN:

Page 6, lines 3 through 6, strike paragraph (12) (and redesignate the subsequent para-graphs accordingly).

Page 11, line 24, through page 12, line 1, strike “notice of” and all that follows through “the amount” and insert “notice of the amount”.

Page 12, line 2, insert “on the homeowner’s behalf” after “apply for”.

Page 12, line 5, strike “and”.

Page 12, lines 6 and 7, strike subparagraph (B).

Page 12, lines 8 and 12, redesignate para-graphs (6) and (7) as paragraphs (7) and (8), respectively.

Page 12, after line 7, insert the following new paragraph:

(6) certifying that no employee has been convicted of, or pleaded guilty to, a crime of child molestation, rape, or any other form of sexual assault;

Page 12, line 16, strike “112” and insert “110”.

Page 21, after line 10, insert the following new subsection:

(o) INCOME THRESHOLD.—Homeowners with a gross annual household income of more than \$250,000 shall not be eligible for a rebate under this title.

Page 21, lines 14 through 16, strike “to par-ticipating contractors and vendors, to reim-burse those contractors and vendors for dis-counts provided to homeowners” and insert “to homeowners to reimburse the home-owners for work provided by participating contractors and vendors”.

Page 25, lines 18 through 21, strike “to par-ticipating contractors and vendors, to reim-burse them for discounts provided to the owner of the home for the retrofit work” and insert “to homeowners to reimburse the homeowners for work provided by partici-pating contractors and vendors”.

Page 35, line 24, through page 36, line 1, strike “, as a function of the discount the contractor or vendor provides to the home-owner for the installed measures,”.

Page 39, lines 12 and 13, strike “discount from a contractor or vendor for which a re-bate is provided under subsection (a)” and insert “rebate”.

Page 42, lines 6 through 8, strike “to par-ticipating accredited contractors and ven-dors, to reimburse them for discounts pro-vided to the owner of the home for the ret-rofit work” and insert “to homeowners to re-imburse the homeowners for work provided by participating accredited contractors and vendors”.

Page 48, lines 2 and 3, strike “discount from a contractor or vendor for which a re-bate is provided under this section” and in-sert “rebate”.

Page 49, lines 16 and 17, strike “Secretary” and all that follows through “may” and in-sert “Secretary may”.

Page 49, lines 18 and 20, redesignate clauses (i) and (ii) as subparagraphs (A) and (B), respectively.

Page 49, line 22, strike “; and” and insert a period.

Page 49, line 23, through page 50, line 3, strike subparagraph (B).

Page 50, after line 3, insert the following new subsection:

(g) EXCLUSION.—For purposes of this section, energy savings measures shall not include the installation or replacement of pool heaters.

Page 52, line 9, insert “and” after the semicolon.

Page 52, line 11, strike “and”.

Page 52, lines 12 through 22, strike clause (iv).

Page 53, line 16, strike “112” and insert “110”.

Page 58, lines 6 through 16, strike section 109.

Page 58, line 17, redesignate section 110 as section 109.

Page 59, line 7, through page 65, line 16, strike section 111.

Page 65, line 17, redesignate section 112 as section 110.

Page 65, line 19, strike “subsection (j)” and insert “subsection (i)”.

Page 66, line 18, insert “and” after the semicolon.

Page 66, lines 19 through 21, strike subparagraph (D).

Page 66, line 22, redesignate subparagraph (E) as subparagraph (D).

Page 67, lines 1 through 3, strike paragraph (2).

Page 67, line 4, redesignate paragraph (3) as paragraph (2).

Page 68, lines 3 and 9, redesignate paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

Page 69, line 4, strike “subsection (b)(3)(B)” and insert “subsection (b)(2)(B)”.

Page 70, lines 17 through 21, strike subsection (e) (and redesignate the subsequent subsections accordingly).

Page 71, line 1, strike “subsections (b), (d), and (e)” and insert “subsections (b) and (d)”.

Page 71, lines 13 and 14, strike “subsections (b), (d), and (e)” and insert “subsections (b) and (d)”.

Page 72, line 8, strike “, 110, and 111” and insert “and 109”.

Page 72, after line 13, insert the following new subsection:

(j) ADMINISTRATIVE EXPENSE PROHIBITION.—No funds provided under this title shall be used for the purposes of conducting travel to gambling or gaming establishments in connection with official duties related to this title.

At the end of the bill, add the following new title:

TITLE III—DEFICIT NEUTRALITY

SEC. 301. SUNSET.

The provisions of this Act shall be suspended and shall not apply if this Act will have a negative net effect on the national budget deficit of the United States.

Mr. WAXMAN (during the reading). I ask unanimous consent that the amendment be considered as read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WAXMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 246, nays 161, not voting 23, as follows:

[Roll No. 255]

YEAS—246

Ackerman	Garamendi	Moore (WI)
Adler (NJ)	Giffords	Moran (VA)
Altmire	Gohmert	Murphy (CT)
Andrews	Gonzalez	Murphy (NY)
Arcuri	Gordon (TN)	Murphy, Patrick
Baca	Grayson	Murphy, Tim
Baird	Green, Al	Nadler (NY)
Baldwin	Green, Gene	Napolitano
Barrow	Grijalva	Neal (MA)
Bartlett	Gutierrez	Nye
Barton (TX)	Hall (NY)	Oberstar
Bean	Hall (TX)	Olver
Becerra	Halvorson	Ortiz
Berkley	Hare	Owens
Berman	Harman	Pallone
Berry	Hastings (FL)	Pastor (AZ)
Biggett	Heinrich	Payne
Bilbray	Hereth Sandlin	Perlmutter
Bishop (GA)	Higgins	Perriello
Bishop (NY)	Hill	Peters
Boccheri	Himes	Peterson
Boswell	Hinchev	Pingree (ME)
Boucher	Hinojosa	Polis (CO)
Brady (PA)	Hirono	Pomeroy
Braley (IA)	Hodes	Price (NC)
Bright	Holden	Quigley
Butterfield	Holt	Rahall
Camp	Honda	Rangel
Cao	Hoyer	Reyes
Capps	Inslee	Richardson
Capuano	Israel	Rodriguez
Cardoza	Jackson (IL)	Rohrabacher
Carnahan	Jackson Lee	Ross
Carney	(TX)	Rothman (NJ)
Carson (IN)	Johnson (GA)	Roybal-Allard
Castle	Johnson, E. B.	Ruppersberger
Castor (FL)	Kagen	Rush
Chandler	Kaptur	Ryan (OH)
Childers	Kildee	Salazar
Chu	Kilpatrick (MI)	Sanchez, Linda
Clarke	Kilroy	T.
Clay	Kind	Sanchez, Loretta
Cleaver	Kissell	Sarbanes
Clyburn	Klein (FL)	Schakowsky
Cohen	Kosmas	Schiff
Connolly (VA)	Kratovil	Schrader
Conyers	Kucinich	Schwartz
Cooper	Langevin	Scott (GA)
Costa	Larsen (WA)	Scott (VA)
Courtney	Larson (CT)	Serrano
Crowley	Lee (CA)	Sestak
Cuellar	Levin	Shea-Porter
Cummings	Lewis (GA)	Sherman
Dahlkemper	Lipinski	Shuler
Davis (CA)	Loeb sack	Sires
Davis (IL)	Lofgren, Zoe	Skelton
Davis (TN)	Lowey	Slaughter
DeFazio	Lujan	Smith (WA)
DeLauro	Lynch	Snyder
Deutch	Maffei	Space
Dicks	Maloney	Speier
Dingell	Markey (CO)	Spratt
Doggett	Markey (MA)	Stark
Donnelly (IN)	Matheson	Stupak
Doyle	Matsui	Sutton
Driehaus	McCarthy (NY)	Tanner
Edwards (MD)	McDermott	Taylor
Edwards (TX)	McGovern	Teague
Ehlers	McIntyre	Thompson (CA)
Ellison	McMahon	Thompson (MS)
Ellsworth	McNerney	Tierney
Engel	Meek (FL)	Titus
Eshoo	Meeks (NY)	Tonko
Etheridge	Michaud	Towns
Farr	Miller (NC)	Tsongas
Fattah	Miller, George	Van Hollen
Foster	Minnick	Velázquez
Frank (MA)	Mitchell	Visclosky
Fudge	Moore (KS)	Walz

Wasserman
Schultz
Waters
Weiner
Watson

Watt
Waxman
Weiner
Welch

Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—161

Aderholt	Goodlatte	Nunes
Akin	Granger	Olson
Alexander	Graves	Pascarell
Austria	Griffith	Paul
Bachmann	Harper	Paulsen
Bachus	Heller	Pence
Bilirakis	Hensarling	Petri
Bishop (UT)	Herger	Platts
Blunt	Hunter	Poe (TX)
Boehner	Inglis	Posey
Bono Mack	Issa	Price (GA)
Boozman	Jenkins	Putnam
Boren	Johnson (IL)	Radanovich
Boustany	Johnson, Sam	Rehberg
Brady (TX)	Jones	Reichert
Broun (GA)	Jordan (OH)	Roe (TN)
Brown (SC)	Kanjorski	Rogers (AL)
Brown-Waite,	King (IA)	Rogers (KY)
Ginny	King (NY)	Rogers (MI)
Buchanan	Kingston	Rooney
Burgess	Kirk	Ros-Lehtinen
Burton (IN)	Kirkpatrick (AZ)	Roskam
Buyer	Kline (MN)	Royce
Calvert	Lamborn	Ryan (WI)
Cantor	Lance	Scalise
Capito	Latham	Schauer
Carter	LaTourette	Schmidt
Cassidy	Latta	Schock
Chaffetz	Lee (NY)	Sensenbrenner
Coble	Lewis (CA)	Sessions
Coffman (CO)	Linder	Shadegg
Cole	LoBiondo	Shimkus
Conaway	Lucas	Shuster
Costello	Luetkemeyer	Simpson
Crenshaw	Lummis	Smith (NE)
Culberson	Lungren, Daniel	Smith (NJ)
Davis (KY)	E.	Smith (TX)
Dent	Mack	Souder
Diaz-Balart, L.	Manzullo	Stearns
Diaz-Balart, M.	Marchant	Sullivan
Dreier	Marshall	Terry
Duncan	McCaul	Thompson (PA)
Emerson	McClintock	Thornberry
Fallin	McCotter	Tiahrt
Flake	McHenry	Tiberi
Fleming	McKeon	Turner
Forbes	McMorris	Upton
Fortenberry	Rodgers	Walden
Fox	Mica	Westmoreland
Franks (AZ)	Miller (FL)	Wilson (SC)
Frelinghuysen	Miller (MI)	Wittman
Gallegly	Miller, Gary	Wolf
Garrett (NJ)	Moran (KS)	Young (AK)
Gerlach	Myrick	Young (FL)
Gingrey (GA)	Neugebauer	

NOT VOTING—23

Barrett (SC)	DeGette	McCollum
Blackburn	Delahunt	Melancon
Blumenauer	Filner	Mollohan
Bonner	Guthrie	Obey
Boyd	Hastings (WA)	Pitts
Brown, Corrine	Hoekstra	Wamp
Campbell	Kennedy	Whitfield
Davis (AL)	McCarthy (CA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JACKSON of Illinois) (during the vote). There are 2 minutes remaining in this vote.

□ 1544

Mr. BOREN changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1545

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. LARSON of Connecticut. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1334

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON AGRICULTURE.—Mr. Owens (to rank immediately after Mr. Murphy of New York).

(2) COMMITTEE ON APPROPRIATIONS.—Mr. Patrick Murphy of Pennsylvania.

(3) COMMITTEE ON ARMED SERVICES.—Mr. Garamendi (to rank immediately after Mr. Owens), Mr. Boswell (to rank immediately after Mr. Garamendi), Mr. Johnson of Georgia (to rank immediately after Mr. Boren).

(4) COMMITTEE ON FOREIGN AFFAIRS.—Mr. Deutch (to rank immediately after Mr. McMahon).

(5) COMMITTEE ON HOMELAND SECURITY.—Mr. Owens (to rank immediately after Ms. Titus).

(6) COMMITTEE ON THE JUDICIARY.—Mr. Deutch (to rank immediately after Ms. Chu), Mr. Polis.

(7) COMMITTEE ON NATURAL RESOURCES.—Mr. Luján (to rank immediately after Mr. Heinrich).

(8) COMMITTEE ON SCIENCE AND TECHNOLOGY.—Mr. Garamendi (to rank immediately after Mr. Peters).

(9) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Johnson of Georgia.

Mr. LARSON of Connecticut (during the reading). Madam Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Ms. CHU). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. CANTOR asked and was given permission to address the House for 1 minute.)

Mr. CANTOR. Madam Speaker, I yield to the gentleman from Maryland, the majority leader, for the purposes of announcing next week's schedule.

Mr. HOYER. I thank the Republican whip for yielding.

On Tuesday, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business. On Friday, no votes are expected.

We will consider several bills under suspension of the rules. The complete list of suspension bills will be announced by the close of business tomorrow. In addition, we will consider

H.R. 5116, the America COMPETES Act.

Mr. CANTOR. I thank the gentleman. Madam Speaker, I noticed that the gentleman from Maryland, the majority leader, did not mention the budget or the Afghan-Iraq supplemental for next week's schedule. And I know that in our last week's colloquy the majority leader, the gentleman from Maryland, stated that he would consider these two items as soon as possible. So I would ask the gentleman if he has an update about floor consideration for either the budget resolution or the supplemental bill for Afghanistan and Iraq.

Mr. HOYER. We are still working on the budget. I will hopefully bring that forward when it is ready, obviously when the Budget Committee considers it. As it relates to the Afghan-Pakistan supplemental, the President requested, as you know, approximately \$33 billion in his budget at the beginning of the year. The Defense Department says that the money that they have will be depleted sometime this summer. It's important, obviously, therefore, that we move soon. And I hope to do that.

I would hope that when we move this bill forward that we will see bipartisan support for it, obviously to support our troops in harm's way, carrying out a policy that I know, as the gentleman has observed before, the Republican whip himself and others have indicated their support of the President's policy in Afghanistan. This money for Afghanistan and Pakistan will fund those efforts. And I am hopeful when we do bring it forward that we will have bipartisan support for that piece of legislation.

Mr. CANTOR. I thank the gentleman.

Just to clarify, Madam Speaker, does the gentleman expect either of these items to come to the floor prior to the Memorial Day recess?

Mr. HOYER. I am hopeful that that will be the case, yes.

Mr. CANTOR. I thank the gentleman.

I would ask the gentleman also, Madam Speaker, when does he expect the tax extender bill to come to the floor? I know Chairman LEVIN has alluded to it coming to the floor any time within the next 2 weeks. I would further ask the gentleman, Madam Speaker, does he expect that to be a 1- or a 2-year extension?

Mr. HOYER. The committee has not acted, so I can't answer the second question per se on the 1 or 2 years. I will tell the gentleman that it is still my expectation, as Chairman LEVIN said, that that bill, the jobs bill with the extenders in it, will come forward within the next 2 weeks.

Chairman BAUCUS and Chairman LEVIN are discussing that bill. I am hopeful that they will reach agreement and can reach agreement on a bipartisan basis in the House and in the Senate. We are working toward that end. We believe this will be an important bill for business, an important bill for job growth, and an important bill to

extend some of those items that, as the gentleman knows, some of them will expire in terms of authorization either by the end of this month or by June 2.

Mr. CANTOR. I thank the gentleman for that, and would inquire further, Madam Speaker, from the gentleman, I don't know if I am asking, Madam Speaker, whether it is his sense or preference about the length of the extension and whether we can expect or he would expect there to be a 1- or 2-year extension.

Mr. HOYER. I would prefer that perhaps we do it for a longer period of time than 1 year. Two years would be acceptable. However, the problem, of course, is paying for things. As the gentleman knows, when these bills were considered, one of the things that the minority did with their MTR was to include more spending in and strike the pay-fors, which exacerbated the bill to the tune of about \$100 billion. So I think the committee is dealing with what they can pay for.

There will be some things, obviously, that we have accepted as emergencies caused by the severe economic downturn. But I think the length of time will probably be dictated by the issue of how we pay for things.

Mr. CANTOR. I thank the gentleman.

I would reiterate, Madam Speaker, to the gentleman that Republicans stand ready to work with him in terms of trying to live up to the expectations that families across this country are having to live up to, which is to work in a fiscally responsible manner on a budget blueprint for the year, and am hopeful that Congress can deliver on that prior to the Memorial Day break.

With nothing further, Madam Speaker, I yield back the balance of my time.

HOOR OF MEETING ON TOMORROW

Mr. HOYER. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, and further when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, May 11, 2010, for morning-hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

A NEW INTERNATIONAL FISCAL CONSERVATISM

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Madam Speaker, today's volatility in the stock market teaches us two lessons: first, the United States, our Treasury Secretary, and our President must advance a new International Economic Stabilization plan based on tremendous cuts in European government spending. Over 60 percent of Greece's GDP is in the public sector. With debts rising to 100 percent of national income, their ability to repay

their debts was inevitably going to collapse.

Spain, Portugal, and Italy may be next. Their debts total trillions, not hundreds of millions. Our U.S. financial system and our stock market depends on what I would call a new international fiscal conservatism that cuts government spending and deficit financing.

Today also teaches us another lesson. The very debts that crippled Europe and shook our stock market are coming to America, fueled by the irresponsible spending of this Congress. We need to cut Federal spending now to reassure markets and assure that America's children will never have to ask this question: "Who will bail out America?"

NATIONAL SCHOOL LUNCH PROTECTION ACT

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. Mr. Speaker, earlier this week I introduced a bill to ensure that scarce Federal resources provided for the National School Lunch Program and the School Breakfast Program are spent to provide nutritious meals to our children.

Every day more than 30 million students receive meals through these programs. In this recession, more and more families are relying on schools to feed their children at least one healthy meal every school day. At the same time, these programs are facing increased costs.

Unfortunately, some school districts overcharge for the administrative costs associated with implementing these important nutrition programs. This means less money to feed children. That's why I introduced the National School Lunch Protection Act of 2010, to ensure that Federal money for school meals actually goes towards feeding our needy children.

Specifically, this bill requires a Federal study to see what school districts are charging the Federal Government to implement these programs. Armed with this information, the Secretary will implement regulations to protect these important nutrition programs. Once passed, this bill will prevent government waste and will help to feed more hungry children.

GULF OIL SPILL

(Mr. TURNER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TURNER. Mr. Speaker, as we turn on the news networks and we listen about the oil spill in the Gulf, the American people want to know, how could this happen? As Americans read the news about this particular oil platform having had problems over several years, and how equipment meant to prevent an oil spill malfunctioned,

they want to know where was the enforcement of safety regulations to prevent this disaster?

The Obama administration and congressional Democrats have called for an energy policy that includes more drilling. Americans are concerned, however, that if the administration can't manage this current crisis, how can we manage even more drilling?

I agree with most Americans that we need an "all of the above" energy plan that will reduce our dependence on foreign oil. However, the American people expect answers from this administration. How did this happen? How should this have been prevented? Why was there a delay in the administration providing a response to this disaster? And what will the administration do now? Our Nation awaits these answers.

□ 1600

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE TIMES SQUARE BOMBER: FIGHTING THEM HERE INSTEAD OF THERE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, every American was troubled to learn about the attempted terrorist bombing in Times Square last weekend, but we should all be heartened and we should all be proud of the swift action by law enforcement authorities to apprehend the suspect. By all accounts, the system worked seamlessly. New York City Police worked in tandem with the FBI, Customs and Border Patrol, the Department of Homeland Security, and other agencies, and the man was in custody by Monday. He was read his Miranda rights and continues to cooperate. And there is reason to believe he can provide valuable intelligence that will allow us to detain other terrorists. Everything by the books. No extralegal coercion. Rule of law and the Constitution upheld. This is the way to combat terrorism, Madam Speaker.

You'll recall that the notion of counterterrorism as primarily a law enforcement operation has often been met by ridicule and by bluster on the other side of the aisle. This isn't police work, they've said. This is war. Well, we've now had 8½ years of war, and in addition to costing us thousands of American lives and hundreds of billions of taxpayer dollars, it has not made terrorism go away. If anything, it has animated and emboldened the people who want to harm America. And as people have watched their home countries invaded and their communities

destroyed at the hands of the U.S. military, they've become prime recruits for terrorist networks.

The bottom line is that our current strategy isn't an antiterrorism strategy at all. By its very nature, it's spawning more terrorists than it's killing or detaining.

What if we took just a fraction of our war budgets and used it to make our domestic counterterrorism infrastructure that much stronger? And what if we took another fraction and launched a smart security strategy that emphasized peaceful, civilian, humanitarian outreach instead of military occupation? Because contrary, Madam Speaker, to the assessment of our previous President, it appears that "fighting them here" is exactly the way to go. "Fighting them there," on the other hand, leads to an endless cycle of violence, recrimination, and hatred.

We all owe a debt of gratitude to everyone who played a role in the successful arrest of the Times Square bomber. Now let's give them even more tools, resources, and support. Let's bring the troops home and make the work of our talented law enforcement personnel the focal point of our struggle against terrorism.

The SPEAKER pro tempore (Ms. MARKEY of Colorado). Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

NATIONAL DAY OF PRAYER IS CONSTITUTIONAL WHETHER FED- ERAL JUDGES LIKE IT OR NOT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE of Texas. Today is the National Day of Prayer. It's the day of the year that is proclaimed that we honor how prayer and how religion has affected our culture as a Nation. Every day, in this very House, we start with a prayer. Down the hallway in the United States Senate, every day, the U.S. Senate starts with a prayer. And then we have the Pledge of Allegiance. The Supreme Court has ruled that it is constitutional for us, the Senate, and all State legislatures, to start every day with a prayer. And so it is throughout the country.

We have the National Day of Prayer today, but it has a long history of establishment here in the United States, where we recognize this very important day. Many Congresses and Presidents have proclaimed days of prayer and fasting throughout our Nation's history. From Washington all the way to Madison and all the way through World War II, Presidents set aside days of national prayer.

In 1952, 58 years ago, a bill proclaiming an annual National Day of

Prayer was unanimously passed by the House and the Senate and signed into law by President Truman. It's not often in our history that everything passes this House and the Senate by unanimous consent. The new law required the President to select a day for national prayer every year. In 1988, the day was fixed by Congress as the first Thursday in May of each year. That law was signed by President Ronald Reagan.

Nobody is forced to pray on the National Day of Prayer. However, we now have a Federal judge who has ruled that the National Day of Prayer is unconstitutional, even though this day is set aside to honor God and the role that prayer has played throughout our history. Thanksgiving was set aside by President George Washington to honor the Almighty and to give prayer and thanksgiving for our history and for the work that the Lord plays in our very existence.

Most people are surprised to learn the United States Capitol, this building, was the place where church services were held for a number of years. In fact, before Congress even started assembling here, we had church services before then. But yet a National Day of Prayer has been ruled by a Federal judge to be unconstitutional.

Here's what the First Amendment says, Madam Speaker. It says: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

The First Amendment was written by James Madison, the author of the U.S. Constitution. In fact, he is the author of the first ten amendments. James Madison set in stone, proclaimed, Congress will make no law respecting an establishment of religion or prohibiting the free exercise thereof.

Probably, James Madison knew more about the First Amendment than anybody else since he was the author; yet, in 1813, President Madison proclaimed a National Day of Prayer. It's ironic that the author of the First Amendment, who knew more about the First Amendment than anybody else, certainly Federal judges who live today, proclaimed the National Day of Prayer, and yet today, we have a Federal judge saying it's unconstitutional based upon the First Amendment. How ironic. Federal judges obviously—this particular Federal judge—forgot about the free exercise of religion part. That's why the National Day of Prayer is so important.

The Federal Government sets aside one day a year that honors the First Amendment. People may pray. They don't have to pray. But it recognizes how important prayer is in our culture. It enshrines in the public consciousness the fact that Americans have the right to the free exercise of religious beliefs.

"In God We Trust," Madam Speaker, is above the American flag behind you. It is the national motto of the United States: In God We Trust. Ours is not a secular Nation. It was founded on religious principles.

So I asked this Federal judge, What's next? Are you going to try to abolish Thanksgiving and Christmas as national holidays?

Madam Speaker, the National Day of Prayer is not only a good idea, it is constitutionally legal, whether secular, antireligious Federal judges like it or not.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. KLEIN) is recognized for 5 minutes.

(Mr. KLEIN of Florida addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CURRENCY CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. I rise today to talk a bit about our economy and the marketplace which, if anybody has observed, is in shambles. A couple of years ago, we had a financial crisis; basically, a bit of problems in debt with the financial institutions, the banks, and a lot of corporations. That was a rather hectic period of time. But I think what we're moving into now is much, much more serious, and what I see happening is that this is not a financial problem as much as a currency problem. Everybody knows there are major problems in Greece right now because of the debt load that they have and they cannot finance, and nobody is there at the moment to bail them out.

A lot has been happening. I have been interested in this subject for a long time. As a matter of fact, in 1971, with the breakdown of the Bretton Woods agreement, I became fascinated with economics and politics. At that time, there was a devaluation of the dollar of 3.8 percent, and it was very, very big news. And that's when the dollar was connected to gold and there was a devaluation against gold. This was a major event and ushered in a major amount of inflation in the 1970s. Yet, this process continues. As a matter of fact, the breakdown in 1971 opened up the doors to massive inflation. And that's what we have been doing for 35, 40 years of inflating the currency, creating many and multiple financial bubbles which have burst and have given us a great deal of trouble. But a currency crisis is much worse because people lose confidence in the dollar.

Now, I have talked a lot about the value of the dollar. And somebody might wonder exactly why I would

come today and talk about the concern I have for the value of the dollar, because if you look at the dollar, the dollar is a haven. The dollar has been going up sharply in terms of other international currencies. They would say that this is a haven. It's still strong. People are buying our Treasury bills. But I still argue the case that there is a currency crisis going on. Because if you look at the one true money, the one money that has existed for 6,000 years that outlasts all the paper money and all the fiat currency, that is gold. It doesn't look very good and is sending a signal that a lot of inflation lurks in the future.

In the past several years, maybe even 10 or 15 years, the dollar and the gold relationship depended on gold acting as a commodity. It moved with the stock market. It moved with commodity prices. But no longer. Instead of the gold going down when the stocks went down, instead of the gold going down when the commodities go down, instead of the gold going down when the dollar goes up, all of a sudden people are resorting to putting dollars and other currencies in gold. This is sending a signal that the confidence is being lost in the entire fiat monetary system. And the dollar, of course, is the reserve currency of the world and, therefore, a very significant event.

But there are even other statistics to suggest that we're in for a lot more inflation. If we look at what has happened to producer prices in the past 12 months, we find out that producer prices have already moved up significantly. For instance, finished consumer goods are up 8.2 percent in the last 12 months. Finished consumer goods, excluding food, are up 8.3. Finished energy goods are up 20 percent. Now, that has not yet affected the Consumer Price Index, but, in the months to come, the producer prices will move into the consumer products, so we can expect a lot more inflation.

□ 1615

Now, the way we get in this trouble is due to accepting some notions about money that are false. We have believed since 1971 that there should be no linkage of our money to anything sound as the Constitution mandates. There should be no linkage of the dollar to gold or silver, which then gives the Congress leeway of spending endlessly; deficits don't matter. We can tax and we can borrow; but if we still don't have enough money, we can depend on the Federal Reserve just to print the money.

Now, that has lasted for a long time, and we've been getting away with it; but the market is more powerful than the central bank and the politicians. The market usually rules and they come and say the money isn't worth what it used to be. There's too much mal-investment, there's too much debt, and therefore a correction must occur. This happened with the financial situation: there had to be a correction, the

bubble burst, and there are some adjustments.

But everything that we have done over these past several years and even over the last several decades has always been to resort to more inflation, print more money, spend more money, which only produces a problem that delays the inevitable. What I am afraid of is the inevitable is here, and we must do something about it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

(Mr. FRANKS of Arizona addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

(Mr. GINGREY of Georgia addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

PROGRESSIVE CAUCUS

The SPEAKER pro tempore (Ms. MARKEY of Colorado). Under the Speaker's announced policy of January 6, 2009, the gentleman from Minnesota (Mr. ELLISON) is recognized for 60 minutes as the designee of the majority leader.

Mr. ELLISON. Madam Speaker, my name is KEITH ELLISON, and I'm here to claim this hour on behalf of the Pro-

gressive Caucus to deliver what we call the "progressive message."

The Congressional Progressive Caucus is a group of Members of this United States Congress who believe in the essentials of America, ideas like fairness and equality. We are the people who stand up consistently for civil rights and human rights. We believe that issues like color, national origin, and gender should not be a barrier for people to fully participate in the American Dream.

The Progressive Caucus consistently stands up for the rights of the working class, the people who labor every day to make this country run. We're talking about economic justice. We're talking about true health care reform. Many of our members were on the universal single-payer health care bill and advocated for the public option as the health care debate carried forward.

The Progressive Caucus, this is the group that's consistently arguing to say that humanity, and as a matter of fact as Americans, we can live in harmony with the Earth, we can respect the environment. So when you think about the Progressive Caucus, Madam Speaker, the idea is that there is a body of folks in the Congress who believe in fairness, who believe in equality, who believe in equal opportunity, who believe in equal justice, who believe in peace, and believe that the United States should put its diplomatic foot first and its development foot first and should always, always, always seek to be a force for peace in the world.

Members of the Progressive Caucus made up the large bulk of the people who called for the United States to get out of Iraq and identified Iraq as not the right policy for the United States from the very beginning. Many of us continue to make the demand for peace and say that the proportion of development aid should outweigh the military footprint in Afghanistan and not the reverse.

This is the Progressive Caucus. I'm proud to be a vice chair of the Progressive Caucus and to present the ideas of the progressive message tonight. The progressive message is when we come down to the House floor and we talk about the values of the Progressive Caucus, what we're working on, what we're doing, what we think is important, so, Madam Speaker, that the people who watch C-SPAN and who tune into us know the ideas and thoughts of the Progressive Caucus and know that there is a progressive voice within the caucus. Very, very important.

Tonight, our topic is the economy. What else? The economy. It's what people are focused on nowadays with the dramatic unemployment rates, high unemployment rates, hovering in the neighborhood of 10 percent in many places around this country, about 9.7 percent, as we're seeing some States with dramatically higher and even some with lower; but everybody is concerned about jobs for the American people.

Today we're talking about Wall Street reform which is good for Main Street, meaning that many folks will be thinking, well, what does Wall Street have to do with me? I mean, I own a barber shop on Main Street, I own a mechanic shop on Main Street, I work for the factory down at the other side of the community. I'm not a player on Wall Street; I don't trade in stocks. That doesn't have anything to do with me. Why am I worried about it? The reason is, the progressive message tonight is that people who live on Main Street—people who are the teachers, the firefighters, the police officers, the small business owners—people who work hard every day and make this country function need to plug into what's happening with this Wall Street reform because it's going on now in the Congress and the interests of us all are at stake.

So this idea of Wall Street reform will be the topic tonight, and the main idea is Wall Street reform is good for Main Street. Main Street needs to be plugged into what's happening. And who can blame people, Madam Speaker, for not really knowing what's going on with this Wall Street reform. I mean, weird terms like "credit default swaps" and "derivatives" and "collateral debt obligations" and things like that, "rating agencies," "too big to fail," all this kind of stuff are things that the American people are trying to get all this stuff clear because folks who don't watch this stuff every day, folks who are not C-SPAN junkies, they're busy, they're raising their kids, they're going to work, they're doing what people normally do, may not know that they really need to plug into this issue of Wall Street reform because it has a lot to do with how people's lives are going to be led, and it has a lot to do with people's well-being, their economic opportunity, and things like that.

So we're going to talk about that tonight, Madam Speaker. And we really want to let you know that we're going to be focusing hard on this issue of Wall Street reform and being good for Main Street. We want folks to absorb this message, and so we're going to be talking about it tonight.

Now, the fact is that if you have any doubt about whether Wall Street reform is important, maybe you thought to yourself, well, you know, I'm not sure it's something that I really need to be concerned about, let me just say that you can sometimes know how important a topic is by how vigorously other people are fighting against it. You may not know the ins and outs of health care reform; but when you find out that some people were spending \$14 million a day with lobbyists to stop health care reform, you know that there are some people with some big bucks and some big stakes in the game who thought the status quo was good for them even if reform was good for the rest of us.

Now, what's interesting is this same scenario is being played out right now

with financial reform. I want to start our dialogue tonight about Wall Street reform, not by talking about the intricacies of the bill—because I'm going to talk about the bill—and not by talking about what led us to this crisis, because I'm going to talk about that too, but first by talking about what the people of America are up against and who it is and how it is that people are trying to stop it.

Wall Street is spending billions to kill reform. Look it up. In 2009, the financial industry spent \$465 million lobbying Washington. How much was spent lobbying Washington for school lunches for poor kids? How much was spent on trying to get America out of Iraq and Afghanistan? How much was spent on trying to make sure that college kids could get into college and have an affordable college education for themselves and their family? How much was spent on these things?

\$465 million for lobbying Washington? Now, that's really something, folks. That's putting down a pretty penny to make sure that the interests of the industry are put up first and foremost before Members of Congress. \$1.4 million a day lobbying Congress, not as much as health care reform, but a substantial pretty penny to be per day lobbying Congress; \$1 million per Member of Congress. So in 2009, if \$465 million was spent lobbying Washington, there are about 435 of us, there's actually more than \$1 million spent lobbying each Member of Congress if you just divide it by the number of people in Congress.

So what is the point of this chart? The point of this chart is to say that folks who don't want real reform in the area of financial services are putting their money down to try to stop it. They're deploying, literally, an army of lobbyists to try to convince Members of Congress that their interests are the ones that need to be first, not those of the American people: \$3.9 billion in the last decade, that's a lot of money, and nearly 2,000 lobbyists, 1,726 Washington lobbyists.

Now, this may sound like I'm hard on lobbyists; I'm not hard on lobbyists. I think it's an honorable profession. They help Members of Congress understand issues. But the fact is that every Member of Congress can tell you a lobbyist does not come in to try to persuade you to do something other than their interests, the people who pay them. They're paid to do a certain thing, to convince Members of Congress to do a certain thing. It's not always a bad thing, but it's usually a thing that's going to serve the interests of the people who are sending them there, and sometimes that's not right in line with what the American people want.

So it's important for the American people to know that when we're standing up for consumer protection, that when we're trying to stop bailouts ever again, that when we're trying to make sure that there is real justice and ac-

countability when it comes to too-big-to-fail firms, that there are a lot of folks who want to have it stay their way; but we're trying to push for reform, and the American people need to know that. The American people need to be aware that if they don't pay attention to this debate, they may be sorry that they didn't. And so we're encouraging people, Madam Speaker, to just stay on top and stay focused on what's really going on.

Now, let me just talk about what financial reform actually means. What does it actually mean? Wall Street reform means policing Wall Street, making sure that Wall Street abides by the rules. Now, Wall Street does a lot of good for this economy. What it basically does is it takes people who have money to invest and unites it with people who need money to capitalize their companies. It takes people who want to invest with companies that have new ideas and some old ideas so they can get together and fund and finance their company. It's a good idea, it's fine, but sometimes it gets out of control. Look, I have knives in my house, and they're very useful for cutting vegetables. But you know what? They still can be dangerous. We need rules about how we deal with these things because they have very, very powerful consequences on people.

So Wall Street reform means policing Wall Street. It means ending bank bailouts. President Obama stood right in this very room not too long ago when he did his state of the Union speech and he said, One thing is for sure, whether you voted for the bailout or not, everybody hated the bailout. I can say he was right on the money. I will tell you that I believed that our economy was in ruin. I thought we were on the brink of disaster back in September, October 2008, and I voted for the bailout. But I will say this about it, I didn't want to, I had to be convinced that it was necessary to do. You should know that much of the money has been recouped and is being recouped every day. And the President is proposing a tax on some of these large financial firms to make sure the American people get all of their money back.

But this is one of those things that you didn't want to have to do, but you had to do. It's like if a friend says I need you to drive me home because I drank too much. You know what? You don't want to have to do that because you would wish that people would be more responsible, but you have to do it. It's something that you don't want to do, but you have to because you're put in that difficult situation.

We want to end the bank bailouts with Wall Street reform. We want to stabilize the economy. This economy, because of this financial trouble created by a lack of deregulation, by tax cuts for the wealthy, by not minding the store, we want to create stability in this economy so people can plan, so they can invest, so they can pursue careers, and so that we can have real eco-

nomic growth sustained over the long term.

So it's about stabilizing the economy. It's about saying, you know what? The economy is going to be stable, so you know what? You might be able to make retirement plans. The economy is going to be stable and strong, so you should put some money away because you will be able to afford college for your kids. It's talking about stabilizing the economy—yes, you should start that business because I'm telling you that there will be a stable economy for you to participate in. So that's what stabilizing the economy is all about.

And then, also, we've got to stop gambling with worker pensions. Workers work hard. Workers work their whole lives working hard to make goods and services for people in the United States. They work hard and they put money into their pensions year after year after year. When they get 65 years old, they shouldn't have to worry that people who were gambling with their money on Wall Street have somehow gambled it away. And so this Wall Street reform is about stopping gambling with worker pensions. It's about worker pensions, people who one day want to retire, people who have worked hard and earned the privilege to retire, people who have literally blazed a trail for all of us younger people; and when they get 65, they ought to be able to go and take their retirement.

This is what Wall Street reform is all about. This is what we're trying to do. This is what the purpose is. It has nothing to do with trying to punish the average person. We want to see the economy grow; we want to see businesses invest. We want to see them grow, be competitive and successful; but there's got to be rules of the road so that everybody can be careful.

Cars. Two thousand pounds of steel going fast can hurt you; everybody knows that. They're very useful, but we still have to have rules, which is why we have to have State troopers out there. And in the same sense, Wall Street reform means policing Wall Street, ending bank bailouts, stabilizing the economy, and stop gambling with worker pensions. So that's what Wall Street reform is all about.

I'm going to return to this board in a moment, but before I do, Madam Speaker, I'd like to get up here and put this document that I led off with because I want to elaborate on it again.

□ 1630

Again Wall Street reform, Wall Street is spending billions to kill reform, to stifle reform, to shape reform to their interest, and it is a big deal. But I would like to say just a few specifics.

The fact is there are a lot of people who are former Members of Congress who are here. At least 70 former Members of Congress employed by the financial services industry, at least 70

former Members of Congress here to try to convince their former colleagues what the industry's perspective is on Wall Street reform, nearly half of the 150 former Members that reported lobbying in 2009.

Let me say about 150 former Members who might be working on anything from energy to forestry, about half of them are working on Wall Street reform. That is a big deal and people should know that. In total, about 125 former aides and lawmakers are now working for financial firms. And so it is not just former Members of Congress, their aides are working on this stuff, too. They are employed and hired to try to convince their former colleagues to do what Wall Street wants to do. Of the industry's revolving door lobbyists, 19 are former Members who served on the Senate Banking or House Financial Services Committees. So they are getting people who are on the committee who know the most about this stuff to persuade their colleagues about what the interest of the industry is, not the American people.

At least 33 additional lobbyists were staffers, as I mentioned before. And you should know, in Congress, some of the most influential people around are staffers. People know the Member of Congress, their name is on the lawn sign and they have commercials during the campaign season with themselves featured in the commercials and sometimes local communities know who the Members of Congress are. You may not know the staffer, but I guarantee you one thing, staffers who are devoted to working on a subject to help a Member of Congress often know more about that topic than the Member of Congress. That's a fact. Many of them, former aides and staffers, are hired to work on this as well.

One of the former Members is former Speaker of the House Dennis Hastert who is working for the industry. Another is Senate majority leader and GOP Presidential nominee Bob Dole. Another one is former Senate majority leader Trent Lott. Another is former House majority leaders Dick Armey and Dick Gephardt. Another is former Appropriations chairman Bob Livingston and former Ways and Means chair Bill Thomas. So they don't have the lightweights and the people who are only here for a few weeks, they have the big heavy hitters here to try to persuade Members of Congress with their former colleagues that the bill needs to reflect what Wall Street wants.

Madam Speaker, that is why we are here tonight talking about Wall Street reform, who is involved, whose interests are at stake. Mostly the American people's interests are at stake, and they need to get well versed on what this bill is all about. I am going to talk about that in a moment.

The fact is that the U.S. Chamber of Commerce spent about \$3 million on advertising, including commercials

slamming the creation of a Federal Consumer Protection Agency. That is unfortunate. Why would any good lender who is trying to offer a good product at a fair price be attacking consumer protection? I thought the customer was always right and you wanted to make sure that the customer was always happy so you would get return business. Why would anybody be afraid of a consumer protection agency that is going to look out for consumers? In fact, I would think industry would be happy about that. The fact is, though, a lot of mishandling of consumers happened. I will talk about that in a moment as well. That is why we need a consumer protection agency. It is very, very interesting that some of these folks want to stop that.

The National Automobile Dealers Association, and I am a big fan of automobile dealers, but the fact is that they contributed \$3 million to Federal candidates in the 2008 election cycle, encouraging dealers to make hundreds of telephone calls to House Members and secure an exemption from the CFPA.

The hedge fund lobby, which calls itself the Managed Funds Association, doubled its spending during the last few months of 2009, according to data recently released by the Federal Election Commission. So the Managed Funds Association, which is the hedge fund lobby, strategically sprinkled more than a million around Washington in the fourth quarter, compared to just \$520,000, a little more than half, spent during the same period in 2008. The fact is \$25 million has been spent on TV ads about Wall Street and financial reform since January. You probably saw some of them yourself.

So with that, we know what we are up against. We know what we are dealing with. Wall Street reform is necessary. Wall Street itself is galvanized and fighting back hard to try to protect its interests, not the American public's interests. So it is important to talk to the American people at this point about what really is in financial reform. What does financial reform contain? What is it about? What's in there? That is the question. The answer is simply this: Wall Street reform is a simple solution to a complex problem and it simply addresses the worst problems associated with the financial breakdown of the last few years.

Let me just talk about the bill, what it is about and some of the key features that we will see with financial reform. Financial reform quite simply addresses certain elements of the financial system and addresses them to make sure that they don't go haywire and harm consumers.

The first thing I want to talk about is the Consumer Financial Products Agency. The Consumer Financial Products Agency, Madam Speaker. One more time. The Consumer Financial Products Agency is what I want to talk about right now.

What this is is an agency which collects the power of seven other agencies

and concentrates it into one agency and says to that one agency: It is your job to protect the American consumer from dangerous financial products like predatory loans and like predatory credit cards and predatory payday lenders and people who would basically rob you of your middle class life-style. That is their job.

They have basically three things that they work on. The Consumer Financial Products Agency has three powers that they can exert, and it is not passed yet, but many of us are working hard on it.

One power it has, it has the power to do examinations, to say to a financial firm, hey, we want to look over what you're doing to make sure you're doing it fairly. They have that power to knock on the door and say, Are you doing the right thing? And if you're doing the right thing, you have little to worry about. But if you're selling financial products that are dangerous to consumers, you might have to worry.

Another power they have is enforcement. Whether it is rules, truth in lending, or some other law or act that is designed to protect consumers, this agency has the power to go in and say, You are selling a product where the terms and conditions are tricky and confusing and you cannot do that any more.

Let me give you an example. Let's just say I went and got a credit card and I had a 30-page contract associated with that credit card. And in that contract, you know, I can't read it, it's all legalese. It's too difficult to understand. I can tell you, I am a lawyer by trade. I practiced law for 16 years before I got this job. I have looked through some of these credit card contracts and can't make heads or tails of them. I know a lot of people who get credit cards, they are trusting that somebody somewhere is making sure that they are getting a fair product. Well, that someone, if we pass this bill, will be the Consumer Financial Products Agency.

Rather than taking the real information that you need, which is the real interest rate you are going to pay, the time you have to pay, the fees that might be associated if you have a default, meaning you are late on your credit card, and putting them way in the back of the credit card application, hidden up behind a bunch of legalese so they can say, "Well, we told them." Because sometimes it is not that they don't tell you, it is they simply drown you with so much information you can't make heads or tails of this thing. The Consumer Financial Products Agency would have the power to say, You have to state the terms and conditions on one page in a clear way so people can make a decision whether they want your product or not, and they know exactly what they are getting themselves into. So that is the enforcement power.

Another power they have will be something called rulemaking. When Congress passes laws, sometimes there

is a lot of space between the laws. What I mean by that is the law will say generally make sure that interest rates are reasonable; make sure that the date on which a payment is due is clearly stated.

Well, the Federal agency may have the power to say exactly what is required, and so the rules are important and the Financial Products Agency will have rulemaking ability, too. So they will be able to enforce the laws as they exist, promulgate rules to protect consumers, and do examinations to make sure that people are doing what they are supposed to do.

Now some people may say examinations, that might be kind of intrusive. Well, let me ask you this question: if somebody was doing an examination on Bernie Madoff, wouldn't that have been a good thing? If somebody said Bernie, open up the books and let me see what is going on.

Let me tell you, today's too-intrusive examination may be tomorrow's salvation of the financial system. So it is a good thing. The Consumer Financial Products Agency, it will be the agency that is there to look out after consumers. Right now we have it all spread out. The Fed has a little bit of responsibility. The Office of Thrift Supervision has a little bit of responsibility. The Comptroller of the Currency has a little bit of responsibility. The FTC, the Federal Trade Commission, has a little bit of responsibility. And it is all kind of spread out.

So what happens when Mom says to her five kids, clean the kitchen? And then she comes back from where she has been and the kitchen is still dirty. All of them say: I thought the other one was going to do it. That is how these things work. When you have dispersed responsibility, you also have dispersed action. So the best thing to do is to say, I want you to do it on this date. Then you have accountability. So we are going to take all of this responsibility for consumer protection and take it from all of these agencies and put it into one agency.

Some people will say, KEITH, don't you think that consumer protection should remain under the Federal Reserve Bank? That is where most of it is now; and you know what, they didn't do a good job. They were late on everything. They were slow on everything. In fact, in 1994—and I bet some people watching this broadcast right now, Madam Speaker, were not even born in 1994—the Congress passed a law that said, Federal Reserve Bank, you can enforce the law and protect consumers from tricky terms and conditions in mortgage lending. You can do something about tricky terms and conditions in mortgage lending. And you know exactly what the Fed did about it: Nothing. They didn't do anything. They did almost nothing.

□ 1645

They did almost nothing. As a matter of fact, it was 2006 and 2007 when

they issued guidance on mortgage lending and the terms and conditions that we now know as predatory lending. It was even after that that they came with some guidance on the issue of credit cards.

So the Federal Reserve was given the power. They didn't use it, and we should take it from them. In my view, it's important to focus on this issue because the Federal Reserve already has its hands full dealing with monetary policy. The Federal Reserve Bank has a few important things they have to do. They have to control the money supply and make sure that the economy has enough liquidity so that people can get loans and gain capital for their businesses and so forth, and it also has the responsibility to make sure that the economy doesn't overheat and have inflation. So that's enough for them to deal with.

I don't think it's the right idea to say, Oh, also do consumer protection, because when consumer protection is shoved in there, too, what ends up being the last thing looked at? Well, consumer protection. So consumer protection is important all on its own, and there should be somebody whose job it is to focus on consumer protection. So that is one of the key features and one of the most important things that the financial services bill will protect.

Let me also move on to talk about another key feature of the financial reform bill, and that is putting an end to too-big-to-fail firms. Now, if a bank or a financial firm or a bank holding company is too big to fail, and if they get themselves in trouble, then all of us have to dig into the taxpayers' money to, what, bill them out. So any firm that is too big to fail is too big to exist. Any firm that is too big to fail and too big to have to deal with what happens when you make bad decisions in the marketplace shouldn't be around.

But sometimes we have to—we had to bail out these firms. Why? Because if they fail, they have all kinds of creditors, banks to whom they owe money. And then if they can't pay those folks, then those people who may have borrowed money can't pay the people who they owe. And if we had just allowed these banks to fail, it would have set off a ripple effect throughout the economy that could be in the proportions of the Great Depression. So it wouldn't have been responsible to let banks fail.

We know that the one bank that did fail, Lehman Brothers, caused serious and catastrophic losses throughout the whole world, not just the United States. Even my own State of Minnesota, their board of investment, their investment board lost about \$58 million from Lehman Brothers' failing.

So the fact is that if we have a too-big-to-fail system, what that means is that the big banks can engage in hazardous, risky behavior, because they know at the end of the day, the American taxpayer is going to ride in to the rescue for them. And this is bad for our economy, bad for everybody else.

But the other thing wrong with too big to fail is it's not fair to smaller players in the market who provide choice, who provide competition, and who live by the decisions that they make. Because if some firms are too big to fail, then some other firms are too small to save. Is that fair?

So, for example, if I'm a huge bank like Citibank and I make some decisions that are poor ones and I start suffering the consequences of those decisions, then I'm going to get saved because I'm big. But if X, Y, Z community bank in Minneapolis makes bad decisions, they get dissolved. That is what FDIC is for, the Federal Deposit Insurance Corporation.

So we can't be in this situation. If we're going to have a mixed economy where we have government regulation and a free market together, we can't have a system where being big and making improper decisions and making risky decisions which costs your business its solvency, you're going to get bailed out, but the smaller ones, they just have to go suffer and deal with what sometimes is referred to as "market discipline," meaning out of business.

So this too-big-to-fail thing, we have to do something about it. And what we do and what financial reform does is to say, Okay, we're going to have what's called a resolution fund, a resolution fund. What is a resolution fund? Well, a resolution fund is to resolve, is to close down, shut down, chop up, sell off, and end a firm that is systemically connected—a too-big-to-fail firm but has done things that are risky, and if they were to fail, they wouldn't be able to meet their creditor obligations, and their creditors would not be able to meet their obligations, and those folks wouldn't be able to make their obligations, and we would have a collapse in the system. So what we say is, look, these big firms have to pay into a fund on the front end, which then, if one of them fails, that fund would be the one to pay creditors so that the whole market doesn't fall, not the American taxpayer.

It's very similar to how the Federal Deposit Insurance Corporation works right now. I think the FDIC, if you have a deposit—money in a bank—you're insured up to about \$250,000 of your money. You know that if this bank goes down, you're not because there's the FDIC.

Now, the FDIC says, if a bank goes down, the citizens—the depositor's not going to go down because we have the FDIC. But what if a big bank goes down and they owe money all around and, if they can't pay the people who they owe, then those people can't pay the people who they owe, and the next thing you know, the whole economy's going down? No, these people will be paid out of a fund which will then chop them up and will pay the creditors, and then they will be done and over with.

Now, some people argue that there should be a fund after the bank has

failed, after there's been a too big to fail fall. In my opinion, that's not a good idea because, if a huge systematically large bank fails, it is going to have an impact on the market. It will drive the market down, and we'll be trying to collect money from people who didn't mess up after they have less money. And I think that's a huge mistake, but that is another point of view people have been sharing.

The fact is we need to have an antibailout fund, which is a fund that calls for a resolution of these systematically large firms when they make big mistakes and don't do the right thing that they should do for their depositors, for their shareholders, or for anybody else.

So we've talked a little bit about too big to fail. Now let's talk about mortgage reform and predatory lending. Many of you would like to know, Where did this whole problem start? It started in the consumer sector, and the consumer sector is where we need to address our energy. The mortgage reform and antipredatory lending section of this bill is to stop predatory and irresponsible mortgage loan practices.

It might shock Americans to know that, despite 2.8 million foreclosures last year, Congress has yet to pass an antipredatory lending bill. Many States have. My State of Minnesota has. But Congress has not yet passed such a bill. That will be part of financial reform as well.

There will be tough new rules on risky practices, practices like, if you buy a mortgage, no-doc and low-doc loans. That means that they don't try to find out whether you can pay the loan before you have to pay it back. They just loan you the money and may not even get documentation and may not even get proper information before they loan you money.

Now, these days, credit is tight, and people can't even hardly remember when money was flowing so freely. You may think to yourself, Why would somebody lend money unless they knew somebody was going to be able to pay it back? The reason is they would take that mortgage, which is documentation, paper, and they would sell that paper, and that would be securitized on the secondary market. So if I know that I can sell you a mortgage today and then take that stream of income that's supposed to come my way because I have loaned you that money and then sell it to somebody else, I don't really have to worry. It's almost like, as long as you're not the guy who is without a chair when the music stops, you just keep on going around in that game of musical chairs.

So we're going to have some rules to stop this practice to make sure that these risky practices don't continue. We're going to have rules in this bill, Wall Street reform, to curtail excessive speculation and derivatives and growing use of unregulated credit default swaps. And I want to talk about what a credit default swap is in a little

while, but now I just want to talk about mortgage reform. We're going to require investment advisers to act for the benefit of the client under the law, exercising the highest care involved.

I have been joined by my friend from Florida, ALAN GRAYSON, who I think is here for another hour but is always welcome to join in on the conversation with me. So I yield to the gentleman.

Mr. GRAYSON. Would the gentleman be so kind as to yield the podium to me? I would like to speak from the lectern, if that's okay with you. Do you mind? Can we switch places for a few minutes?

Mr. ELLISON. That's fine. Come on down.

Mr. GRAYSON. I want to thank the gentleman for yielding his time temporarily and thank the gentleman for bringing up the important subject of the day, which is financial reform in America.

I want to thank the gentleman for this opportunity to talk about one of the key elements of financial reform in both the House bill and the now-debated Senate bill, which is auditing the Federal Reserve. And I want to congratulate the gentleman and, in fact, everyone in America because you now own a hotel chain. Congratulations. It's this one right here. You own the Red Roof Inn.

Now, I know what you're thinking. You're thinking, That's funny. I don't remember buying the Red Roof Inn. But the Federal Reserve Bank, in its wisdom, has done it for you. The Federal Reserve Bank has seen to it that you have the pleasure of ownership of this delightful chain of hotels that extends from sea to shining sea. You, America, you are now the owners of the Red Roof Inn chain. Congratulations.

Let me explain to you how that happened. Deep in the midst of ancient history, going all the way back to 2007, a foreign company decided they wanted to do a leveraged buyout of the Red Roof Inn chain. So they turned to Wall Street, and Wall Street in its magical ability came up with the money, \$500 million, to do that. And part of that money, \$186 million, came from entities that were formed strictly for the purpose of providing money so that somebody could end up controlling the Red Roof Inn other than the people who originally owned it. These foreigners were able to prevail on Wall Street to come up with the financing to buy the Red Roof Inn.

Now, at that point, the question was who was actually going to come up with the money, \$186 million. The answer was Wall Street was going to find some sucker, some fool that would be willing to take \$186 million out of his or her pocket and put it into the pockets of this management company, foreign owners. The problem was an earthquake hit Wall Street in 2008 before they could execute on this deal and hand this liability off to John Q. Public, and this financial hurricane

that hit Wall Street prevented them from executing on their plan. They had to find some way to come up with somebody, some sucker who would take over the liability for this \$186 million loan, secured only by this modest hotel chain of limited profitability being sucked dry already by its foreign owners.

So they looked around, and at this point, Bear Stearns was responsible for this. So Bear Stearns looked and looked and looked, tried to find somebody silly enough, unwise enough to stick this \$186 million liability to, and then Bear Stearns, itself, went kaput, taken over by JPMorgan. JPMorgan moved in with the help of the Federal Reserve. The Federal Reserve arranged so JPMorgan could take over Bear Stearns' liabilities in general, but there were some liabilities that were so odorous, so awful that JPMorgan just wouldn't take them over even though the Federal Reserve was stuck with the liability for the great majority of those assets, and those became the Maiden Lane assets. And among those assets, the absolute dead loser assets, the assets that nobody in their right mind would want, the assets that were so terrible that JPMorgan wouldn't take them from Bear Stearns' pocket, from Bear Stearns' dead pocket even if the Federal Reserve was willing to pay for it, among those assets was the Red Roof Inn. And who ended up with that?

□ 1700

That's right, the Federal Reserve Bank—you know, that organization that dictates the money supply in this country, the organization that has this magical ability to make money out of nothing—they simply make notations on their records, and magically, they have more money than they had the day before. The Federal Reserve Bank decided that they would assume responsibility for a \$186 million loan to a hotel chain. The Federal Reserve became the sucker of last resort, and in doing so, the Federal Reserve made you—you, America—the sucker of last resort.

Let's move on.

After 2008, pretty much nothing happened, because nobody knew about it. Nobody even knew what was inside the Maiden Lane LLC pot. Nobody knew it was the Red Roof Inn or anything else. Nobody knew. Why is that? Because we don't audit the Federal Reserve Bank. All they had to do was come up with a line on their balance sheet that read "Maiden Lane LLC," and for 2 years, nobody knew what the heck was in it.

Then after enormous political pressure from Congress and from this entire country, the Federal Reserve gave us a list of assets and what they called "notional value" for those assets. You know, when you can make money, when you can create it, when you can just make it appear, everything is notional. Everything is notional. That's all there is.

Among those things that the taxpayers now have responsibility for

through the Federal Reserve, as we found out at the beginning of this year, is this wonderful, enormously valuable—at least they want you to think this—chain of hotels called the Red Roof Inn. It stretches all the way from California to Maine. In fact, one of the properties happens to be the Red Roof Inn Convention Center property right in Orlando, right in my district. I am so proud. I think I'll stop by there and ask for a free room.

So what happened then?

Well, what do you think? It went bad—it went really sour—because, right now, it's not such a good time for the hotel industry. They leveraged the business to the hilt. They leveraged it up to here—a half a billion dollars—from a series of properties that barely made any money in great times, and now, as you may have noticed, it's not so great times.

So what happened is very simple. They are not paying on the debt. What was debt is now equity because when a company goes bankrupt and when it can't pay its creditors the creditors take over.

Interestingly enough, the Wall Street Journal reported just 2 weeks ago that the major creditors of the Red Roof Inn are moving in. They're saying they're not getting their money from this hotel chain. So the two other entities that put up the money to do this leveraged buyout to this foreign group are moving in. They're taking the hotels over.

They went to Citibank, and they asked, Citibank, what are you doing? They said, Well, we're working it out with them. We're moving in. We're taking over the hotels.

They went to the third entity, and they asked the third entity, What are you doing? Well, we're trying to work it out with them, but we're taking over the hotels. That's the collateral.

Not a single word from the Federal Reserve. Not one single word. Wouldn't it be nice to know what happened to the \$186 million that they put up? We don't know because we don't audit the Federal Reserve, so we can't know. There is no way to know right now. The Federal Reserve may be, for all we know, letting these other sharks, these other Wall Street sharks—Citibank and the other entities—move in and take over all of these hotels. Maybe they're doing nothing to defend the right of the taxpayers to these assets. We don't know. We just don't know because we don't audit the Federal Reserve.

So, America, congratulations. You own a hotel chain. In fact, if you keep this up, America, you'll own a whole bunch of hotel chains because it turned out that of the Maiden Lane LLC pot of money that the Federal Reserve assumed liability for 86 percent of that is called the hospitality business. So, America, before long, take a look. You'll have enough to put a hotel on Marvin Gardens, on Park Place and probably on Boardwalk, too. You'll own all of the hotels in America. Isn't

that something? Isn't that something? You didn't even know it.

But look. That's not all the Federal Reserve has put up. The Federal Reserve has put up a half a trillion dollars in mortgage-backed securities. What are "mortgage-backed securities"? They are securities backed by mortgages. They are securities backed by homes.

So guess what, America? Before long, not only will you be owning hotel chains around this country, but you will be owning houses, too—maybe your neighbors' houses, maybe your own houses. Though, not exactly, because, you see, when the Federal Reserve owns an asset, you don't exactly own it. In fact, since we don't audit the Federal Reserve, you don't own it at all. You have no control over it. Actually, what is happening is that when these mortgages go bad the Federal Reserve owns your home, and if you can't make the payments, the Federal Reserve becomes your landlord.

So isn't that interesting?

For all of this time, we've been hearing about socialism, communism, about the creeping government control of our economy, how we shouldn't have the government owning GM, how we shouldn't have the government owning major banks. It has been happening by stealth because we don't audit the Federal Reserve. How else could it possibly be that we could end up owning a hotel chain and not even know about it?

If you are concerned about socialism in this country, if you are concerned about communism, about government control, let's audit the Federal Reserve, and let's find out once and for all who owns the hotels, who owns the houses. This wild beast that creates money out of nothing and jams it into the pockets of special interests like Maiden Lane, like Bear Stearns, like JPMorgan, and like all of their friends, let's put them under some degree of restraint before it all comes crashing down—these hotels, these houses—before it all comes crashing down on us. Every time the Federal Reserve makes that money, every time they do that, every time they create that dollar by their magic, they are taking the dollar that is in your pocket, and they are making it cheaper—worthless.

Mr. ELLISON. Okay. Let me reclaim my time now.

Mr. GRAYSON. If the gentleman would yield, let me say one last word: audit the Federal Reserve.

Thank you very much.

Mr. ELLISON. Let me just add that the gentleman's presentation is not a part of the Progressive hour. I thought we were going to talk about financial reform. I'm not going to yield back to the gentleman right now, but I thank the gentleman for his presentation. I thought it was informative. Certainly, it is part and parcel of this whole dialogue, of this national debate we're having about financial reform. Certainly, getting to the bottom of our financial situation in America is impor-

tant. We need to find out all we can about what happens with our banking system, and the Federal Reserve is also extremely important.

So I was talking about the importance of the bill. First, I talked about the Consumer Financial Products Agency. I moved on to discuss further the regulations that would take place in mortgages, so we would focus on making sure that mortgages which are poorly underwritten and which are then sold into the secondary market will be something financial reform will stop. We'll bring that to a close.

Let me now move on to another element of the financial meltdown which will be addressed by this important financial reform: irresponsible compensation practices. The fact is that one of the things we have seen in this whole financial meltdown is that not only have Americans been losing their homes—2.8 million foreclosures last year—but we've been seeing some of the most outrageous compensation from the financial services industry itself, with much of the compensation emerging from the very firms that the American people came together to bail out in the first place.

The financial reform bill addresses perverse pay practices that encourage executives to take excessive risks. If an executive can engage in a practice that is risky and bad for the firm and then can get paid a lot for it and can end up making money, they get the money. Yet, if they don't make any money and drive a firm into the ground and hurt the depositors and creditors in the process, they still make a lot of money. This is not a good practice. So financial reform talks about executive compensation. It discourages executives who take excessive risks at the expense of their companies, of their shareholders, of their employees, and ultimately, of the American taxpayers.

For the first time ever, shareholders of publicly traded companies will have an annual, nonbinding say-on-pay vote on compensation packages and on golden parachutes for top executives. If you look at the history of Merrill Lynch, this is a company that basically careened into the ground and ended up being in such a financial state of affairs that it was either going to go under or it was going to be bought. It ended up being bought by Bank of America, but the CEO who was guiding that company ended up leaving with \$150 million of compensation. This is not only an affront to the hardworking American people, but it also sets up perverse incentives, the wrong incentives, for people who are at the head of these firms so that they can't make good decisions and do the right thing by American companies.

The bill also requires financial firms with at least \$1 billion in assets to disclose to Federal regulators any incentive-based compensation structures. Federal regulators will then be authorized to ban any inappropriate or risky compensation practices that pose a

threat to the financial system and to the broader economy. The legislation also comes in response to a broad consensus among many leading financial experts, including Paul Volcker and others, who believe that compensation structures played a role in the financial crisis of last year.

I also want to talk about investor safeguards. One of the things that financial reform will bring forward are safeguards for people who invest. Now, some people might say, you know, I don't trade stocks, but if you have a 401(k) or if you have a pension, you actually do so indirectly. As a matter of fact, recent events, such as the massive \$65 billion—with a "b"—Madoff Ponzi scheme and the \$8 billion Stanford financial investment fraud, highlight the need for comprehensive reforms of the regulatory system that failed so many investors.

To better safeguard investors in the future, the bill will enhance the SEC's enforcement powers and funding by doubling its authorized funding over 5 years. That means it is going to have more people to do the job—more policing, more cops on the beat. This will enable the SEC to obtain the tools needed to better protect investors and police today's markets.

The financial reform bill will also create a whistleblower bounty program with incentives to identify wrongdoing in our securities markets and with rewards for individuals whose tips lead to successful enforcement actions. With a bounty program, we will effectively have more cops on the beat for security regulation. The failure to detect the Madoff and the Stanford financial frauds demonstrate deep deficiencies in our existing securities regulatory structure. The bill also calls for an independent, comprehensive study of the entire securities industry to identify reforms and to force the SEC and other entities to improve investor protection.

The Madoff fraud also revealed that the public company accounting oversight board lacked the powers it needed to examine the auditors of brokers and dealers. In addition, it exposed the fault of the Security Investor Protection Act, SIPA, and the law that returns money to customers of insolvent, fraudulent broker-dealers. The bill closes these loopholes, and it fixes these shortcomings. So investor protection is an important part of financial regulatory reform—reforming Wall Street.

So whether we're dealing with too big to fail, whether we're dealing with exploitive and abusive predatory lending practices, whether we're addressing issues with regard to investors or whether we're addressing other markets and consumer protection in general, this financial reform bill is important. It is important for people to know what good it is going to do them and the difficulties that it will present in the future for people who want to keep the status quo.

As for the people who want to keep the status quo, we have already talked about them. There are massive amounts of money being spent to stop regulatory reform. What we need is real reform, consumer protection and financial stability. We need a dissolution authority for too-big-to-fail banks. We need executive compensation reform, say-on-pay. We need investor protections, and we need something called "regulation of derivatives."

Now, when AIG first hit the news, a lot of people were asking, What is a "derivative"? AIG, American Insurance Group, is a huge insurance company. A unit of this huge insurance company actually was issuing these derivatives known as credit default swaps. In simple language, a "credit default swap" is like insurance. It's not insurance, but it's kind of like it. What it means is that you can buy it as sort of like an insurance policy if the value of interest you expected to receive or the value of the bond is not coming back to you in the way that you thought. So you could buy credit default swaps. If the value of this mortgage-backed security drops, then I am going to collect on an insurance policy that can cover me if this happens.

The only problem is that I say it's like insurance, but it's not. If it were insurance, you would have an insurance regulator who would require that the company would have to have enough capital in its books to cover losses and claims based on losses.

□ 1715

But in this particular situation, that kind of reform was not in place. That kind of regulatory control was not in place. So when mortgage-backed securities began to decline and people who bought credit default swaps to hedge the risk against them, those people came to make claims, and AIG did not have the money to meet those obligations, which then put the United States taxpayer on the hook, and now we own essentially AIG as well.

This is not a good thing. The market is not supposed to operate like that. And derivative reform is an important part of what we need. Derivatives are an important financial instrument. They will be traded on an open market; and whenever they are not or are not amenable to be traded on an open exchange, they will be required to be reported to the authorities so that there is some transparency and some real information about what is going on in the derivatives market.

THE FINANCIAL BAILOUT BILL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Madam Speaker, it has been an interesting week. It's been an interesting time. And there are

things that we agree on between our parties.

I heard my friends across the aisle talking about we need to have an audit of the Federal Reserve, and that is certainly something that I agree with and everybody on my side I know agrees with. We ought to have an audit of the Federal Reserve. As Newt Gingrich has said repeatedly, if transparency is good enough for the CIA, it ought to be good enough for the Federal Reserve. We need to know what they are committing us to. We need to know what they're doing, how much trouble are they getting us in. Those are things that need to be known. So I am delighted to hear my friends across the aisle join us in our cry for an audit of the Federal Reserve.

The difference between friends on this side and friends across the aisle is that my friends across the aisle have the numbers, they have the power to get an audit done of the Federal Reserve. There are a number of things that can be done when you control the House and the Senate and the White House. And even if the White House doesn't agree, which they very well may not because of all the shenanigans that have been going on in the financial realm, the Congress still controls the purse strings. And there are things that can be done in this House and down the hall in the Senate that would bring this to a head and would have the Federal Reserve crying uncle, uncle, all right, we will go ahead and allow the audit. It ought to be done. Enough of the shenanigans, blaming one side or the other.

Well, the majority party has such a massive majority, it's a real easy thing to get done, and I would be delighted if we had colleagues across the aisle that would come together with us on this side and require that audit of the Federal Reserve so we would know what has actually been going on so we could set some goals and go about fixing this economy, fixing this broken financial system so we could get it back on a road that makes some sense.

Now, I have heard my friends across the aisle talking down here today and as well yesterday evening about the financial bailout, and I was rather disappointed. I know some, like my friend MARCY KAPTUR, have been adamant about the problems going on in the financial system going back to the fall of 2008. And she and I, there are many things we don't agree on, but we are both for complete transparency—she has been there all along—and demanding full responsibility and accountability in the financial sector. And I have been so pleased with things she said in the last couple of years on this issue since the TARP bailout in September, October of 2008.

But then hearing other colleagues across the aisle talk about Republicans are trying to stop financial reform because Republicans are so closely aligned with Wall Street? I mean, that theme has been played long and loud

for years. And the Heritage Foundation finally had enough and said let's see what the truth is. So they did some research. And the fact is anybody in America can go on Huffington Post or look at some of these Web sites where you find out who contributed to what, and you find out the real truth. And the real truth is that Wall Street donates to the Democratic Party and to now President Obama about four to one over the Republicans.

Now, you can go to Goldman Sachs and find an officer who has made a maximum donation to Senator Obama and a maximum donation to Senator McCain; but you do a little more research and you check that address and you find out, well, gee, the wife and all the children, though, made maximum donations to Senator Obama and to the Democratic Party. And you find out, gee, there is a financial link here that there have been completely misleading statements about for years. And the truth is now in black and white. Let's forget the misleading statements about who is in bed with whom and just follow the money, and that's all you have to do. And you find out in some cases some of the Wall Street firms, it may be three to one, some it may be five to one, but average about four to one donations from Wall Street firms to the Democratic candidates, including Senator Obama, now President Obama.

So once you know that is the relationship that exists financially and has for years, then it causes you to look at all this talk about financial reform and making these people accountable. We're going to bring them to bear. We're going to make them account for all of these things, and we're going to make it so that they can't do this and they can't do that. But once you know that the people that are doing this so-called financial reform, what amounts to another bailout bill, once you know that relationship, then you have to look at the bill being proposed more carefully.

Now, I know we have friends that come here to the floor and, just like they did on the "crap and trade" bill, made statements on the floor that this bill will not cause one single person to lose their jobs, that this is going to be a job creation bill. And they got their talking points and they dutifully came to the floor, and they talked about how the crap and trade bill was going to be so wonderful and it was going to create jobs.

And I was able to come to this very spot on the floor and pull out that bill. Of course, we didn't get that last 300 pages until—it seems like it was around 3 in the morning or so. And then actually we did not have a complete bill when that bill passed. Up there at the Clerk's desk, I kept asking for a copy of the full bill assimilated, and we found out there wasn't one. It was in the process of being assimilated; so nobody on this floor could see a complete bill assimilated and know what all it meant together. And yet that got rammed through.

But just on the original about a 1,000-page crap and trade bill, if you went back to 900-and-something in the pages, I was able to point out there was a fund there created in the bill that obviously my colleagues were not aware of because I know they wouldn't come down here and intentionally mislead people, but whether it was the liberal left wing groups that wrote that bill—we know that we had a chairman or two that said they didn't know what was in the bill even though it was coming through their committee. Somebody knew. So since it wasn't the committee Chair, the Members of Congress that were on the committee, since it wasn't Members on the floor because they weren't sure—they were making statements about the bill like nobody losing their job that obviously wasn't true because there was a fund created that would pay people who lost their jobs as a result of that bill.

So whatever liberal left wing group or whatever special interest groups wrote that bill for the Members of Congress that was rushed in here, so much of it, at 3 in the morning when people couldn't read the assimilated bill, whoever wrote that bill knew people would be losing their jobs as a result of that bill, pure and simple. They were losing their jobs.

There was even a fund in there that would provide some remuneration for people who lost their jobs as a result of the bill and had to move to follow the job. But, unfortunately, in that bill, the crap and trade bill, there was no provision to pay for travel to India or China or Argentina or the other places that those jobs were going to likely be going; so they weren't going to be able to follow the bills. The one good thing for those who voted for that disastrous bill here in the House is that I still feel strongly that once people find out what all was in that bill that they voted for, then they will lose their jobs. Many of them will lose their jobs in here as a Member of the House as a result of that bill. So it looks like the good news for those that vote for the bill and lose their job as a result of it is that there's a built-in provision that may provide them with some compensation and travel expense when they lose their job as a result of voters finding out what all is in that bill.

But that is the kind of thing we have dealt with here, people meaning well, getting their talking points, thinking they were telling the truth, coming in here and passionately proclaiming what was put before them, but not reading the bill. That is so important. So when we apply this cynicism, once you know that the people that are pushing this bill are the ones that have benefited four to one in contributions from these very firms that will be so-called "reformed," then you take a more skeptical look at what's in the bill and we get to find out a little bit more about what is in it, because obviously some of my friends have not looked at it thoroughly enough to

know what is in it and to know that it's really not the financial reform bill that they thought it was.

It's more of a financial "deform" bill, more of another bailout bill, or I would say perhaps we could rename it the Goldman Sachs monopoly bill. A friend across the aisle had a blowup of some of the monopoly pieces. It applies. That's a perfect, perfect display for this financial bailout bill because it's going to allow certain firms to have monopolies. This bill is going to create some monopolies.

□ 1730

One of the truths about this bill is that there are backdoor bailouts. Despite the rhetoric, there are backdoor bailouts in this financial deform bill, or the Goldman Sachs monopoly bill. The Dodd bill from the Senate, it codifies these backdoor bailouts that were used by the Federal Reserve to pump money into Bear Stearns. It also was used by the Federal Reserve to pump money into AIG, into Fannie Mae, into Freddie Mac.

And then this thing that troubles me so deeply, systemic risk council. It's in the bill, a systemic risk council. I was hoping 2 years ago, as we got into the TARP business, and some of us actually read that disastrous bill and could see that this was just not something that should be done in America, some of us hoped, well, since we have seen that Secretary Paulson is completely sold out to Goldman Sachs, it's an effort to bail out the buddies at Goldman Sachs, yes, we are bailing out AIG apparently, he wanted to do that, and lo and behold billions of dollars turn around and go straight from AIG to Goldman Sachs. So it did help his friends. But some of us had hoped that Mr. Bernanke might be the level head in all of this.

But having been in meetings with Mr. Bernanke, and having watched him closely on television and read so many of his comments, it appears that he has been caught up as well in this power grab, in this lofty ivory tower he has been placed in with this incredible amount of power without accountability. It was Stalin who said, "With power, dizziness." And we have seen some of that dizziness in the way these financial markets have been handled by people at the top.

But it appears from the things Mr. Bernanke has been saying that he has bought in hook, line, and sinker into this systemic risk business because he could get to say, you know what, this is who I'm naming a systemic risk. And when the Federal Government says this firm or this bank, this company is too big to fail, that means the Federal Government will not let them fail. That means they can go in the red and run their competition out of business, knowing the Federal Government will not let them fail, but their competitors don't have that assurance.

That's why you might as well call it a monopoly bill, because it's going to

allow firms to become monopolies. And we saw after the TARP firm, boy, Goldman Sachs got to be a bank in addition to being everything else to all people.

One of the things that concerned me as I read through the TARP bill, when I got toward the end where it said that it was raising the debt ceiling by \$1.3 trillion, and we knew that it was a \$700 billion bill, well, why would you need to raise the debt ceiling \$1.3 trillion if it is a \$700 billion bill? And of course we know there was \$100 billion added to the bill in order to buy enough votes to get it to pass. So it's an \$800 billion bill and yet it raised the debt ceiling \$1.3 trillion. Well, there's a half a trillion dollars there for some reason that was built into that.

So I went back through and I reread the bill, and I kept pleading and begging with other colleagues, Please, just read the bill. You'll see we don't do this in America. We don't give one man \$700 billion and say, go play with it and fix this and make us better. We never have done that in America since we've had a Constitution. With that qualification.

There was a man in American history that had that type of power that was given by the Continental Congress by a bill that was passed December 27, 1776. His name was George Washington. This was a humble man. This was a man who made the statement, "People unused to restraint must be led. They will not be drove." And so like in the Battle of Trenton or in that 1755 disastrous ambush that the British walked into and didn't listen to Washington, who was in his early twenties, we have seen pictures over and over painted by those there that Washington didn't do as I was taught in the Army, that commanders are normally supposed to stay at the back and command from the back and coordinate things. Washington in some of the worst battles knew he needed to be out front so people would see him and do the right thing.

There was one soldier after the Battle of Trenton that wrote home talking about how afraid he was with so many people dying. He said, "But when I saw bullets flying around that priceless head of our great general, encouraging us as he went, sir, I thought not of myself." Now that was a leader. Not Hank Paulson we're talking about. That's not a leader. We're talking George Washington.

And when the Continental Congress was afraid that the people who had signed up for 6 months' enlistment around July 4th, around the time of the Declaration of Independence, when their enlistment was coming up, they got word these guys may not reenlist. So they passed a bill basically giving Washington the power to make whatever contract, pay whatever he needed to pay. We didn't have a Constitution yet. But they knew this man and said, "You fix it." And they sent a cover letter that in essence was saying that we know you well enough to know our lib-

erty is not at risk. And when you have no further need of this power, you'll give it back. And he did, like no man has ever done before or since in history.

But in 1787 we got a Constitution. Since that Constitution we have never allowed one man to do what Hank Paulson and now Tim Geithner are being allowed to do, and with Bernanke's assistance. It's a disaster. Systemic risk council. We are going to decide who wins and who loses in America? And you want us on this side of the aisle to vote for this bill? And you call it a financial reform bill? It isn't. This is not reforming things. This is taking us away from the free market principles from which we have been running for far too long.

That TARP bill took us away from it. And some of us prayed that we would have a chance to get back on track, and we have run farther and farther. And it gives no comfort when people on the other side of the aisle say, well, your President started this with a TARP bailout. Yes, and it was wrong then and it's become even worse of a nightmare.

Stop already. Return liberty and freedom back to people. I'm not talking about unregulated financial markets. We have the regulations. Just like we have regulations that would have allowed the President, the executive branch, the administration to monitor more carefully what was going on in the Gulf of Mexico, to monitor more carefully what Madoff was doing, what Goldman Sachs was doing, how the credit default swaps were allowed to be insurance without putting money in reserve to insure against that insurable event out there they were supposed to be taking premiums for.

This is not a financial reform bill. And to stand here on the floor and say Republicans are standing in the way of this, you betcha. I don't want a Goldman Sachs monopoly bill being passed into law and signed into law simply because they gave four to one more money to the Democratic Party than they did to the Republicans. I don't care if they gave four to one to Republicans, it is wrong to give them the kind of monopoly that they have been given through TARP and in the year-and-a-half since. It's got to stop. And this bill is not the bill that will do that.

So don't come to the floor and talk about how this is going to reform things and create accountability because it gives unrestricted leeway to give any nonbank financial company "too big to fail" status. What a disaster for this society, for this incredible gift of a country we have been given.

Now we are not blessed in this body and in this country because of what we ourselves who stand as elected officials today have done. We are not blessed because of what we have done. We have been blessed because of the sacrifices of the Founders and those over the years

that worked so hard to make this country into the greatest Nation that has ever existed in the history of mankind. And now we have people that are peeling back the very principles that made this such an incredible place to get to live in.

Well, let's look some more at this financial bailout bill, financial reform bill, whatever you want to call it. There is a 100 percent bailout for creditors in this bill. So a failed firm's creditors and counterparties could recoup far more of their investment, potentially 100 percent, than they would if they went through a normal bankruptcy proceeding.

We have seen enough of the corruption of the bankruptcy system. The provision for the bankruptcy system was put into the Constitution by those people with such incredible foresight. Unfortunately, it was into the early 1800s before they actually passed laws creating the bankruptcy courts that allowed people to avoid debtors' prisons like the financial backer of the Revolution, Mr. Morris.

But this bill that's being touted as such a great financial reform bill will also allow the FDIC to guarantee debt obligations of failing Wall Street firms without limitation and without congressional approval. You want us to vote for a bill that allows debt guarantees for failing Wall Street firms without this body approving of them and you call that a financial reform bill?

Also under this so-called financial reform bill, what's really more of a financial reform bill, the Secretary of the Treasury is authorized to purchase debt without any limit. You know, Washington gave back the power as soon as the Revolution was won. Four years later we got the Constitution, and we have never allowed this kind of insanity since then.

And yes, Secretary Paulson under a Republican President created this monstrosity and bailed out his buddies effectively, but it's got to stop. It's got to stop. And this bill is just more and more and more of the same.

On May 5, 2010—for people keeping track that is yesterday—Freddie Mac requested an additional \$10.6 billion in bailout funds. Between Fannie Mae and Freddie Mac, the taxpayers have already lost \$126.9 billion bailing out Fannie Mae and Freddie Mac. And now it appears that is just bottomless. It's got to stop. Don't ask us to come in here and pass another further power extension to those who are already dizzy with too much power and no accountability. It's got to stop.

This financial so-called reform bill, this Wall Street future bailout bill is a disastrous mistake. And, heaven help us, we should not pass this bill. We have lost enough rights and power to Wall Street already.

So I hope and pray this Day of National Prayer that those who have been getting the four to one contributions over Republicans from Wall Street firms will say, sorry, guys on Wall

Street, we started playing this game and saying Republicans are in bed with you. Oh, yeah, yesterday one of our friends across the aisle said that, gee, these Wall Street firms are having closed-door meetings with Republicans. They may have been. And you can imagine what's being said. They've cut their deals with the people that they've been giving four to one to over Republicans. They've cut their deal. They know they are going to be sitting so pretty, they're going to have monopolistic ability like never before in history.

□ 1745

So they want to meet privately with Republicans and say, Look, you don't have to worry. We're really getting serious oversight from these Democrats, the ones we give four-to-one over Republicans to. We're really getting serious oversight here in this bill. We just need you to come on board. No telling what kind of things they're telling Republican Senators behind the scenes to try to get them on board with this terrible financial reform bill.

But let me point out something that I did find as I went back through and tried to figure out, well, where could that other \$500 billion, between the \$800 billion designated in the TARP bill and the amount that the debt limit was raised, what loopholes may be in this bill? As I went back through it, one of the things I found was this provision. The all caps title of this little section, title 1, section 101(c)(1), Public Law 110-343. It says:

The Secretary is authorized to take such actions as the Secretary deems necessary to carry out the authorities in this act, including, without limitation, the following:

One, the Secretary shall have direct hiring authority with respect to the appointment of employees to administer this act;

Number two, entering into contracts, including contracts for services authorized by section 3109 of title 5, United States Code;

Number three, designating financial institutions as financial agents of the Federal Government. Such institutions shall perform all reasonable duties related to this act as financial agents of the Federal Government;

Four, in order to provide the Secretary with the flexibility to manage troubled assets in a manner designed to minimize cost to taxpayers, establishing vehicles that are authorized subject to supervision by the Secretary to purchase, hold, and sell troubled assets, issue obligations;

Five, issuing such regulations and other guidance as may be necessary or appropriate to define terms or carry out the authority or the purposes of this act.

Holy cow. What a blank check the Secretary of the Treasury received. When President Obama nominated Timothy Geithner to be Secretary of the Treasury, even though he signed

and certified he would pay the taxes that were designated 4 years in a row and he couldn't bring himself to actually pay those, he is in charge. We were told at the time, Yes, but he worked so closely with Paulson on the bailout that he knows what needs to be done and he will be able to continue the same thing. Some of us said, That's a reason not to confirm the guy. Good grief. But he has all this power.

Well, is it any wonder that the firm that donated four-to-one to President Obama and his party had the biggest profit year in their history last year? That's right. Goldman Sachs, while the rest of America has been hurting and struggling, trying to get back on its feet, Goldman Sachs is on its feet and made a bigger profit than ever, which brings me back to this.

So I have been trying to look for things to see, well, they had the biggest profit year in history. Could that be because the Federal Government is paying them all this taxpayer money to do the things that the Federal Government told America we will do, but actually they farmed it out and paying no telling how much money to Goldman Sachs to do this stuff?

Well, I did find one contract here—this amended and restated investment management agreement between the Federal Reserve Bank of New York and Goldman Sachs Asset Management. The first whereas is: Whereas, the Open Market Committee has approved the purchase by the System Open Market Account of Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac), and Government National Mortgage Association (Ginnie Mae). So they approved this deal, and in the first paragraph it points out that this is between the Federal Reserve Bank of New York and Goldman Sachs Asset Management, LP, designated as manager.

Then you go through and find out they're appointed to manage, supervise, direct the investment portion and appointed as the Federal Reserve Bank of New York's agent in fact. It's just amazing what all power they're given on behalf of the Federal Reserve Bank of New York. It does point out that they're going to get some nice fees here.

It says that this agent here, this manager, can hire firms to help them carry out their duties. But you have to look at attachment C to see who on exhibit C is authorized to act on behalf of this manager, Goldman Sachs Management, LP. So you flip over and you find exhibit C to this agreement. Well, my goodness, there's Goldman Sachs & Company is authorized counterparty to act on behalf of Goldman Sachs Asset Management, LP. Isn't that wonderful. Because they probably know each other. Well, doesn't that work out well?

Those were good investments they made in this last election, and yet people still continue to come to this floor

and talk about how Republicans are in the pocket of Wall Street, even though the Democrats received four-to-one over the amount that the Republicans got.

Well, I know there are people in this body—it doesn't matter what kind of contributions they got—they're going to vote what is appropriate under their conscience. Unfortunately, we've got groups on Wall Street that are awfully powerful in their persuasiveness and convincing people that giving Goldman Sachs their biggest profit year in the Nation's history, in their history, is the thing that needs to be done. That's the kind of stuff we're talking about. And Republicans are getting blamed for this, for trying to stand in the way of more monopolies on Wall Street.

And if you look at the bailout of the automotive industry with TARP funds—and the truth is, I signed on to all those letters where we said we never intended for TARP to be used to bailout the automotive industry. I signed on to those because I agreed that was not the intent. The trouble is I read the bill, and so I knew that it could be used for whatever the Secretary of the Treasury wanted to use it for, basically. Incredible power given under that bill. And now we're going to follow that up with this new financial reform bill, this new bailout bill.

That's why you've seen Wall Street firms sign on to this business of taking out the \$50 billion bailout fund. That's been done in the last few days. Why would the Wall Street firms sign on to that? Well, if you look at the bill, you find out why. They've still got the potential to be named as systemic risk by the Systemic Risk Council, Mr. Bernanke leading, and get too-big-to-fail status.

And I heard my friends. I couldn't have agreed more when they said we have got to stop this business of creating too big to fail. AIG should have been allowed to file bankruptcy. That's what the bankruptcy laws were for. They should have been allowed an opportunity to reorganize. Goldman Sachs should have been given a chance to reorganize under the bankruptcy laws, not the way they were perverted and destroyed and turned upside down with regard to the automotive industry, but followed the way they're supposed to be.

It didn't happen with the automotive industry, and it didn't happen on Wall Street, as it should have. The firms should have been allowed to go through and try to reorganize. The pain would have been so much more quickly over than when we exacerbate it. But for folks to come in and say, I want to stop this too-big-to-fail business, that's why we've got to pass this bill. They've got to read the bill. It's in there. It's still going to allow that to be going on. It's got to stop. It's in the bill.

So you wonder why you have Republicans standing in the way of the financial reform bill. Well, take out the Systemic Risk Council, take out the

too-big-to-fail designation, take out the bailout for firms without going through regular bankruptcy proceedings. Take that out. The automotive industry should have showed us that this is not what you do. You don't turn the law and the Constitution upside down.

People might wonder, Well, how could that have happened? You've got Congress, the executive branch, and you've got the judiciary. These are supposed to be checks and balances. But it didn't happen. The checks and balances didn't work. So you had an auto task force that was appointed by the President. And then the auto task force met in secret and refused to come up here and tell Congress exactly what was going on in those meetings. They said later, Well, we didn't really pick which dealerships would go out of business. We just told them, basically, how many had to go out of business. Why? Why was it their job?

When a firm, a company, an industry goes through bankruptcy, an effort at reorganization, you have to have a plan. And the debtor can propose the plan and you can have creditors come in and propose plans. You have secured creditors that come in and they get first choice. That's the law. That's the law as allowed under the Constitution.

We had an auto task force that put together this plan, and they said, No, we're turning the law upside down. We don't care what the law says. So we're going to take the secured creditors and we're going to give them pennies on the dollar for their secured claims, despite the law saying they get first shot, and unsecured creditors may get little or nothing. They took the unions and said, You know what? You're unsecured under the law. You may get little or nothing. And we made them like secured creditors, the auto task force did, so they own a big hunk of the company, just like the Federal Government does.

You say, Well, how could that be? Well, bankruptcy judges don't sit for life terms. They depend on the good graces of others to appoint them so they can continue to be bankruptcy judges. And many of them aspire to be district judges, where they have lifetime appointments. Who makes lifetime appointments of Federal judges? The President does. So if you're a bankruptcy and you want to one day be a Federal district judge with a lifetime appointment and somebody from the White House says, Here, sign this. It will save you months of hearings, even though the law requires them, and it does kind of turn the Constitution upside down, but just sign here. Things will be good for you in the future. Well, that remains to be seen. But it sure wasn't good for the country.

Despite the head of GM going on TV and saying, We paid back our loans, with interest, ahead of time, I know everybody else in America who has loans would love to have taxpayers loan you money and then take taxpayer money

to repay the loans. But to some of us, that doesn't really feel like a clean payback of this little area because we still own a big interest. You hadn't paid back the Federal Government for all that was put in there to save this so-called company.

□ 1800

Ruth Bader Ginsburg, bless her soul, she put a 24-hour hold on one deal and it gave some of us hope that, okay, Congress completely failed in its duty as a check and balance on the abuse of power from the executive branch, but maybe the judiciary, that third check and balance, they're coming through. Thank goodness Justice Ginsburg did that. But then, apparently, the Justices were persuaded that if you extend this stay more than 24 hours the deal will be gone and this will all go away and everybody will lose their job. You can't extend the stay.

And I'm betting there are Justices who are now saying we should never have allowed them to talk us into just allowing them to turn the law and the Constitution upside down just because maybe this deal with Fiat might not go through. Fiat had no business owning the American company unless they could do it properly, without turning our laws upside down. So the third check and balance went away, and nothing protected the Constitution, nothing protected the laws as they were passed. It's got to stop. It's got to stop.

And yet we see a bill brought before the House and Senate and, lo and behold, the Federal Government is going to take over all student loans. We're taking over the student loan business. Well, I am so grateful that my youngest daughter is graduating within the next 2 weeks. We had to do student loans to do it. My wife and I cashed out all our assets except our home in order to run for Congress, so we had to use student loans to get our girls through college. And to think that anybody in this country might have to be beholden to whoever is in the executive branch, whichever political party is controlling the executive branch is who we have to hope and pray will be kind enough to extend a student loan to us in the future? Do Democrats really want to have to depend on Republicans for their student loans based on who is in the White House? Should Republicans have to rely on who is running the executive branch in hopes that their kids will get student loans? It's the wrong way to go.

And now with the Federal Government having taken over Freddie and Fannie, we've taken over such a big part of the housing, the home mortgages, does either party or independents or tea party or progressive liberal party, do you want to be beholden to another political party in power in order for you to get a home loan or a student loan? This is where we've come. It's got to stop.

I know that in the minority we're a voice crying in the wilderness, but it's

got to stop. There are people on the other side of the aisle that know that, who say this. And to my friends, Mr. Speaker, I would hope that they would all go back and read these bills, particularly the "financial reform bill," and find out that it is not as the talking points have represented. It does create the too-big-to-fail problem, and it's got to stop. I hope we will have some Democratic friends who will help us. It's tragic.

I was in a Bible study with a hero of mine, Chuck Colson, a little over 1 year ago. He pointed out that this society is resting on three legs: one is morality, one is economic stability, and one is liberty. And throughout history, as long as you had morality, you could have economic stability. But when you lose morality, it always leads to economic chaos. You have too many Madoffs out there that think it's okay to just live high and wild lives off other people's money that they've stolen. Then you have people get elected that think some people have made too much money, so I want to steal their money. But since I'm in power, I can pass laws that allow me to take their money and spend it the way I want and it won't be called stealing because we'll legalize the stealing because we have the power. And, yes, the power resides in this Congress to legalize stealing of people's money. The power rests here, but the moral authority does not.

And when I hear friends say, well, Christians ought to be helping those who can't help themselves, helping the widows and orphans, Jesus did talk about those things. Even as you have done to the least of these, my children, you have done to me. And we should be doing those individually. But He never said use and abuse your taxing authority to legalize theft of other people's money so you can give to your favorite charity. He was saying, you do it yourself with what you have. You do it. You help individually. Don't go corrupt a governmental system that was put in power, as Romans 13 talks about. If you do evil, be afraid, because God doesn't give the government the sword in vain. The government is not supposed to become a part of doing immoral acts; it's supposed to protect those entrusted to its care, and we've gotten too far away from that.

During the revolution, so many were heard to quote Voltaire—some say he said it, some said he didn't, but he was quoted as saying, I disagree with what you say, but I will defend to the death your right to say it." So many of us heard that, learned that in school. What a noble, moral concept: I disagree with what you say, but I will defend to the death your right to say it, even though it offends me. And look how far we've come.

To some of us who look at the Ten Commandments and say, you know what? Conduct outside of those, all of us are going to break the commandments because no one—but I believe one—is perfect, but that offends. But

people here have the right to, in some cases, lie, in some cases commit adultery, in some cases some of these things are illegal, but that has been changing. And we've changed this society from one in which the Founders said, I disagree with what you say, but I will defend to the death your right to say it, and we've turned it into one where what you say offends me, and not only am I not going to defend to the death your right to say it, I'm going to force you out of your job, I'm going to do everything I can to cause you to lose all of your assets, I am going to do all I can to make your life nothing but misery from now on. How did we get so far from the founding that we would want to destroy people's lives because what they have said offends?

When the Pilgrims came over, when so many of the groups that came over to what they called the New World, they were fleeing from the kind of persecution that has now started. This was a National Day of Prayer, and yet we had Franklin Graham—what a great, great man—he was uninvited from speaking to our military. We had Tony Perkins not long ago uninvited from speaking to the military at Andrews Air Force base even though he served this country's uniformed military services for 6 years because there were some who said in the administration we disagree with what you say and we're going to ruin you and try to do all we can to keep you from speaking.

The military is fighting for people's right to say what they want, and yet we're denying people the right to come speak to the military while they're fighting and dying for the right to speak freely under the First Amendment? How did that ever happen?

From 1800 to 1860, and again intermittently until 1880, there were church services held right down the hall, non-denominational Christian church services. I was asked earlier by a CNN reporter, how do you reconcile the separation of church and state with a group reading through the entire Bible in 5 days over here at the west side of the Capitol? Well, I reconcile it because I know where the phrase "separation of church and state" came from. It came from Thomas Jefferson in his letter to the Danbury Baptists.

There was nothing about preventing people from having church or having religion or praying in Jesus' name, or doing any of those things, or speaking to the military. To the exact contrary. Thomas Jefferson used to ride down Pennsylvania, according to CRS, most of the time—the Congressional Research Service, they've authenticated this—most of the time when he came to the church service every Sunday here in the Capitol he liked to ride his horse down here, down Pennsylvania. He's the one that codified the phrase "separation of church and state" because it's not in the Constitution. It's so unfortunate that so many of our judges over the years have been so poorly educated about our history.

And then you've got James Madison as President who came to church most every Sunday he was in Washington here in the Capitol, in the House of Representatives, but according to CRS, he was different from Jefferson. Jefferson liked to ride a horse and usually Madison liked to ride in a coach drawn by four horses to come to church in the Capitol. Jefferson—who coined the phrase "separation of church and state"—sometimes brought the Marine band to play hymns for the non-denominational Christian worship service here in the Capitol.

The Constitution's First Amendment was never about discriminating against Christianity as this administration has done by uninviting people to speak to the military who are fighting and dying for the very beliefs that the people were denied the right to come talk to them about. And yet we have people who are so politically correct they're afraid to say that a guy who makes very clear about what he screams before he shoots these other servicemembers, that this is an act of a crazed jihadist, Islamic jihadist.

Thank God that the vast majority of Muslims are not jihadists of that type, but you need to recognize the ones that are and that they're out there and they want to destroy our way of life. And you can speak to moderate Muslims—many of them are afraid to speak out openly because they've become targets—but you speak to moderate Muslims, they know. They're some of the first to be killed when the crazed jihadists take over. They don't like moderate Muslims.

But the Nation was founded on principles such that the church, the Christian church, was at the heart the Declaration of Independence. Over one-third of those who signed the Declaration of Independence were not just Christians, they were ordained Christian ministers, had churches. And the church was behind the effort to abolish slavery because they, just like John Quincy Adams, knew it was so wrong. And as Adams, for about a year and a half, took a young, tall, slender, not very handsome man under his wing down the hall, as Christians, they became so close in that short time, John Quincy Adams affected him so he knew as a Christian that slavery had to end because we could not continue to be blessed by God if we were treating brothers and sisters by putting them in chains and bondage.

And he preached that sermon over and over and over just down the hall. And the churches were preaching—some weren't, but many were—that was the heart of that movement. And what was Martin Luther King, Jr.? Dr. King was an ordained Christian minister. The church has been behind the great movements here in America, and now we're discriminating against it? We're saying what you believe in a Christian church so offends us, not only are we not going to fight to the death for your right to believe what

you believe and say what you want to say, we're going to destroy you and keep you from doing anything publicly that you want to do in observing your religion. How did we go so wrong?

□ 1815

How did we go so wrong? Abraham Lincoln struggled with this terrible war that was going on because he believed in a just God, and yet this thing was going on and so many brothers and sisters were dying and it was a terrible thing. And that is why he said in his second inaugural, How do you reconcile this? He said, Both read the same Bible and pray to the same God, and each invokes his aid against the other. But he goes on and he says, If we shall suppose that American slavery, and you might substitute in there abortion, American abortion, abortion is one of those offenses of which, in the providence of God must needs come but which, having continued through His appointed time, He now wills to remove and that He gives to the North and South this terrible war as the woe due to those by whom the offense came. Shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him. Fondly do we hope, fervently do we pray, said the President, that this mighty scourge of war may speedily pass away. Yet if God wills that it continue until all of the wealth piled up by the bondsman's 250 years of unrequited toil shall be sunk and every drop of blood drawn by the lash, or by the abortion doctor's hand, as was said 3,000 years ago, so must still be said today, Lincoln said, the judgments of the Lord are true and righteous altogether, as he quoted scripture.

We are told it may not be appropriate for the military to hear from somebody who believes the things that Jesus taught. So you have Tony Perkins cancelled. You have Franklin Graham cancelled because they believe the things Jesus taught. You have others who we have been hearing about the last couple of days who have been uninvited to speak to military. And yet I was given by my aunt a Bible that was given to an uncle in World War II. It has this metal front, May the Lord be with you. And inside on the first page, it says at the top: The White House, Washington. As Commander in Chief, I take pleasure in commending the reading of the Bible. That is signed by Franklin D. Roosevelt.

We all need to pray that God will continue to bless America.

TAX CUTS

The SPEAKER pro tempore (Mr. ADLER of New Jersey). Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to be recognized here on the floor of the House, and I appreciate my colleague from Texas

holding the ground until I come here to hold a little ground with him. I always stand on the same ground as my friend, Judge GOHMERT. In fact, all of the way from wading to shore on a free Cuba to climbing a mountain in the Himalayas, and all that free country in between and a bunch of it that is not.

I came tonight to talk about a couple of subject matters. One of them that is on the front of my mind is the tax situation here in the United States. We are watching and we watched as the two Bush tax cuts were passed over the last 8 or so years, the 2001 and then the 2003 tax cuts. May 28, 2003, is when the effective ones were passed, the reduction in capital gains, dividend taxes and a series of things. And of course the language that is there on the estate taxes which are suspended for this year, and they go on in full force at the end of this year, and nothing has yet been done. Something does need to be done.

I am for a complete abolishment of the estate tax, Mr. Speaker, and I am for the reinstatement or the extension of the Bush tax cuts, if we can get them. But we have watched as the former chairman of the Ways and Means Committee, as he was coming in to be the chair, the gentleman from New York (Mr. RANGEL), traveled around through all of the talk radio circuits and the talk television circuits, and they asked him over and over again, Which of the Bush tax cuts would you like to preserve and which ones would you like to see go away or end?

There never was a definitive answer, Mr. Speaker, but the process of elimination brought people to a conclusion over the period of November 2006 until about February of 2007 that there really wasn't a Bush tax cut that soon-to-be Chairman RANGEL would support. So we are watching now the eventual sunset of those very effective economic stimulating tax cuts that went in on May 28, 2003.

Capital understands when it gets more expensive and less of it gets invested. When less capital is invested, then there are fewer technological advances and the productivity of the American worker goes down and it makes us less competitive as a Nation. It is awfully hard to measure that, but what we can see from that period of time of November 2006 until mid- to late February of 2007, we saw industrial investment go down and the decline in industrial investment was precipitated, the economic decline that came about, about the time that Speaker PELOSI first took the gavel. We can see the data that indicated that there was less capital investment because in part—not entirely but in part—Chairman RANGEL signaled to the investment world that taxes were eventually going to go up, and the cost of capital would go up. There would be less capital invested, and that means with less capital invested, it reduces the productivity of the American worker. Reduction in American worker productivity

means we are less competitive as a Nation. That means other cultures, other economies, other civilizations would be ascending and the United States would either slow or diminish its ascent economically or decline. And then we saw the economic crisis.

The calamity that goes back into the seventies with the passage of the Community Reinvestment Act and then on the heels of that came, with the Community Reinvestment Act, the effort to encourage bankers to make bad loans in bad neighborhoods and deal them off on the secondary mortgage market to Fannie Mae and Freddie Mac who had underwriting requirements that were a little too stringent for some groups in the country, particularly a group known as ACORN. And so ACORN came to this Congress and lobbied for a couple of things in the early and mid-nineties under the presidency of Bill Clinton. They weren't having a lot of success under Ronald Reagan, but under Bill Clinton they were successful enough that they were able to get the Community Reinvestment Act rewritten that put even more requirements for the lenders to make more bad loans in more bad neighborhoods and prop up real estate whose asset value couldn't support the mortgage on it.

While that was going on, ACORN was also lobbying here in this Congress, by their view successfully, to lower the underwriting standards for Fannie Mae and Freddie Mac. And they succeeded in doing that. Some in this Congress wanted to tighten the standards and wanted to move them toward complete privatization, which they used to be. And some in this Congress wanted to move Fannie Mae and Freddie Mac to complete nationalization. There was a debate here on this floor. There were several debates on this floor. The one that comes to mind for me was October 26, 2005, when at the time Congressman Jim Leach from Iowa had an amendment on the floor to raise the underwriting requirements for Fannie and Freddie, raise the capitalization requirements for Fannie and Freddie so that they would become a more viable economic institution and to move them away from what appeared to be coming, which would be the Federal Government, the taxpayers, eventually having to bail out Fannie Mae and Freddie Mac.

Well, that amendment that was offered by Mr. Leach and supported by myself and also Mr. LATHAM of Iowa and others, did fail here on the floor in the face of a very aggressive rebuttal that came to the floor in the form of the current Financial Services Committee chairman Mr. FRANK, who said during that debate, if you are going to invest in Fannie and Freddie, don't count on me bailing them out, I will never vote to do a government bailout of Fannie and Freddie.

Well, "never" is a word that shouldn't be used by people in this business, Mr. Speaker. And I don't bring it up to be particularly critical of

the chairman of the Financial Services Committee, Mr. FRANK. I point it out because "never" didn't last very long. It lasted maybe 4 years, moving on 5.

But when President Obama signed the executive order that finally swallowed up all of Fannie Mae and Freddie Mac, and we had to go in and bail them out at the end of the Bush administration, that is true. The Executive order before Christmas swallowed up the rest of this, and the Federal Government, the taxpayers of America, took on \$5.5 trillion in contingent liabilities with Fannie and Freddie. Now they are completely, no longer a quasi GSE, but they are completely owned entities within the Federal Government and the taxpayers are on the hook for all of it.

Now, let's presume that Fannie and Freddie could be operated at a profit. Gee, that would be nice. But we know how government works when it comes to profit. They don't have the right incentives, and eventually it can't work.

So the Community Reinvestment Act was passed in the seventies, refreshed in the nineties under Clinton which put more pressure on lenders to make bad loans in bad neighborhoods. ACORN lobbied for that. ACORN also lobbied to lower the underwriting standards so that Fannie and Freddie could swallow up the secondary market. Fannie and Freddie did that, and today the Federal Government owns more than 50 percent of all of the home mortgages in the United States and the taxpayers are on the hook for the default of those mortgages in the United States.

We also had mark-to-market accounting which was put in place during that same period of time. Mark-to-market accounting is a system whereby on your balance sheet you have to write down the marks and what the actual bids are for those commodities.

So, Mr. Speaker, I would put it this way. I happen to know a bank in the area, in the Midwest, that had \$60 million worth of commercial paper. That commercial paper had always performed, it had always paid and drew a reasonable interest rate. It would be the equivalent of a very effective, well-established company that had an operating loan that they funded through this commercial paper. It had a market and a value to it, and the value was \$60 million. And that was on the balance sheet of the lending institution.

But when we saw the downward spiral and the threat that could have been a crisis in credit in America, there was not—temporarily there was not a market for that commercial paper. So that lending institution, even though commercial paper had always performed, even though the company was viable and made their loans, the value of that had to be marked from \$60 million down to zero, let me just say, figuratively speaking, overnight; \$60 million down to zero. Now there is no asset value. We had lenders that were being pressured by FDIC regulators coming in to turn up the capitalization requirements to the banks and require

them to, let's say, solidify their balance sheets and to make up for the missing \$60 million. It was a temporary situation.

And to make sure, Mr. Speaker, that people can understand what mark-to-market accounting is, I would use this example. I think whether you are a city person or whether you are a country person, whether you are a farm or some other type of economics, you can understand this. I come from corn country, and so let's just say that under mark-to-market accounting rules it would work like this: If a farmer had 100,000 bushels of corn in his bin, stored on his farm, dried, 15 percent moisture in good condition, he would look at that, and let's just say the market price for that corn was \$4 a bushel. So in those bins on storage in the possession of this farming operation, there would be then \$400,000 worth of corn. That is 100,000 bushels at \$4 a bushel. That could go on the farmer's balance sheet at that amount, and you may want to mark it down less shrink and less the basis to the marketplace. But for simplicity sake, \$400,000 worth of corn on the balance sheet, stored in the bin in good condition.

□ 1830

Now, that's all real fine, but along comes a flood, maybe a flood like we've seen in the tragedy in Tennessee, who the folks down there our hearts go out for, Mr. Speaker. But along comes a flood, and it washes out all the bridges all the way around the farm, and it washes out the bridges in the area. So the grain elevator where the bids were coming from at \$4 a bushel is shut down. They're operating. They're in good shape. They've got their generators running, and their grain storage is okay. But no trucks can go to haul any grain. Nothing can move. And so magically, there would be no bids for the corn a day after the flood washed out the bridges, and there would be no bids for corn until the bridges were put back in place. That could take months, or it could take days, depending. Well, let's just say a couple of months before the bridges can be put back together. In that period of time, that corn would sit there. It would be in good condition. It would be worth \$400,000 someplace else, but not \$400,000 sitting there, because he didn't have a bid where he delivered the corn. He can't get it out. So this farmer that had \$400,000 worth of asset value would have to write that down to zero on his balance sheet.

Meanwhile, the bridge is still open to go to the bank. You need to borrow money to operate from so you can pay your bills. But he couldn't borrow the money because his asset value had gone from \$400,000 down to zero, even though that corn would have some value when the bridges were put back together. That's what mark-to-market accounting does. It accelerates the downward spiral with market trends going down and distorts them and

takes us down into the economic decline, or it accelerates the upward spiral and distorts the markets that way, because when you get temporary upticks in the market, then the assets go up almost immediately in direct proportion, which increases the borrowing capacity of that balance sheet.

We need a better system. The mark-to-market accounting system was abolished in 1938. It came back on us again in the Clinton era, and when it did so, it helped set the foundation for the economic crisis that we have been in. And now here we are with the President having spent a couple of trillion dollars or more, taking over the economy of the private sector in the United States—not all of it, but certainly a majority of the private sector activities have been taken over. It started the end of the Bush administration, accelerated in the Obama administration, and we have three large investment banks—AIG, Fannie Mae, Freddie Mac. You've got all of the student loans swallowed up in America, and General Motors and Chrysler were taken over by the Federal Government, with 61 percent of the shares of General Motors owned by the Federal Government. That's the taxpayers' investment.

And when General Motors is running an ad that says they've paid off their loans, yeah, they did that, all right. They paid off a loan. I don't remember the exact amount of that, but it was in the low few billions of dollars. Meanwhile, the taxpayers are still holding 61 percent of the shares. The Canadian Government's holding 12.5 percent of the shares. The unions were gifted 17.5 percent of the shares of General Motors. And we're watching ads that say that General Motors paid us back?

Well, then, why didn't Tim Geithner sell those shares of General Motors into the open market? Why doesn't he divest the Federal Government from their ownership in General Motors? If this administration doesn't believe that they should be in the private sector, why are they running banks, insurance companies? Why have they taken completely over Fannie and Freddie? Why are they running two car companies? Why did they take over the student loans? Why did they nationalize our bodies?

Mr. Speaker, that's not a misstatement, and it's one perhaps for those who have not heard of this before, they should pay attention a little to the description. But the most sovereign thing we have, the most valuable thing we have is our health, our physical body. And part of our freedom is to be able to buy a health insurance policy that suits our needs and make the demands of the insurance companies that there's a market for what we want to buy so they produce a policy that meets our demands.

Up until a month ago, there were 1,300 health insurance companies in the United States and approximately 100,000 policy varieties that could be chosen from. So if you're a consumer

out there on the market, you could look around at those 1,300 companies and decide which one you'd like to do business with, weigh the merits of their policy, settle on the company, look through the variety of policies, and between all those policies, 100,000 policy varieties, choose your policy. That's a lot of choices. You don't have that many choices in the grocery store on how many different kinds of food you want to buy, but it sure looks like choices when you walk into the grocery store. Health insurance in America has a much, much larger selection—or it was—than you find seeing single individual items in the grocery store, because the markets had demanded those kinds of varieties and the companies were seeking to meet the demand.

But now under ObamaCare—in effect, by the year 2014, every health insurance policy in America will be effectively canceled by this government. They will all have to be refreshed and requalified, and there isn't a single policy that exists today that the President of the United States can point to and say, Joe, Sally, your policy, the one I told you, Don't worry, you get to keep it, you can't say that you get to keep it.

Have you noticed that? Have you noticed, Mr. Speaker, there hasn't been a single policy that's been pointed to by this administration, let alone the President of the United States, that they can say to any consumer out there, This is your policy, and you can keep it. And even if they could find a policy that they could tell you you could keep, they can't tell you that it's going to not cost you any more money. They can't tell you that the premium's not going to go up. And when I make that statement, they will throw up their hands and say, Well, obviously we can't because health care costs are going up. It's a natural thing for them to go up double digits while inflation is going up single digits. But the followup to that is, Yes, you can throw up your hands and say that.

But the other thing that cannot be stated by the President's spokesman or by the President or by this administration or by Speaker PELOSI or HARRY REID or anyone else, no one can make the statement that health insurance policies are not going to be increased because of ObamaCare's passage. Yes, they will be. They certainly will be.

We see a community rating of seven to one today. That means that the cheapest policy is going to be one-seventh the price of the most expensive policy. This pushes it into three to one. That means that that young person that's paying for a health insurance policy that is—let's say, if it's \$100 a month, the most expensive policy out there would be \$700 a month by that comparison. But with this new legislation that's there, for the \$100 a month, the highest then can only be \$300 a month. So we know what happens. The person down on the lower side with the

cheaper premiums that is a lower risk will pay a lot more for their premium because the upside of this thing has got to be ratcheted down some.

We saw some numbers, and I can only go to a generalization now because it's far enough back in my memory. These are numbers that had to do with Indiana. We saw a 23-year-old healthy young man's insurance go up almost triple, and we saw the family of four at age 40, two kids and a mom and a dad, we saw their insurance go up a significant amount, and the only people that had a lower premium would be the couple in their early sixties with marginal health that would see their premiums drop off perhaps 11 percent, which is a number I do have confidence is a correct one. So the people with the highest premiums might see an 11 percent reduction. The people with the lowest premiums might see as much as a 300 percent increase in their premiums, and that's why the President can't point to anybody's policy and say, "We're not going to increase your costs."

And he can't, either, guarantee that you're not going to lose your policy, because a lot of companies are going under in this. There will not be 1,300 health insurance companies doing business in the United States 5 years from now or 10 years from now. And if the President had his way, there wouldn't be anybody doing business in health insurance in America except the United States Federal Government. And if you wonder if that's a stretch of the imagination, Mr. Speaker, I can give you two examples. One of them is the Federal flood insurance program.

In the early sixties, all the flood insurance in America was private sector. Property and casualty, if you wanted to insure yourself against a flood, against the river waters coming in and filling up your basement, you went to a private property and casualty insurance company that would write you up a policy and set a premium. But this Congress, "in its wisdom"—and I say that in quotes that this Congress, "in its wisdom," decided that the premiums were too high and the varieties of policies for flood insurance in the early sixties were not great enough, and so they decided to set up a Federal flood insurance program that would provide one more alternative for the consumers to put some competition into the property and casualty business with regard to flood insurance.

Does that sound familiar, Mr. Speaker? I'll submit that it clearly does, because the President said he wanted one more health insurance company to provide competition for the other health insurance companies. He said we didn't have enough competition in health insurance. I don't know why he's forgotten about that. I have not, and I will not. So when the President of the United States says, "We just want to add one more competitor, we don't have enough competition, and that competitor will be the Federal Government, as soon as you inject the Federal

Government into the private sector—or what was the private sector in this case—then you have an unfair competitor with a comparative advantage. They don't have to be profitable. The Federal Government doesn't have to be. If they run up short, they just tap into the pockets of the taxpayer, and we run up an IOU that might be raiding the Social Security Trust Fund in Parkersburg, West Virginia, where every single dollar has been raided by this Congress. It might be borrowed money from the Saudis or the Chinese, provided they are willing to loan it to us and jack up the interest rates. They will. But the Federal Government does not have to be profitable. And they wouldn't have to be profitable with health insurance, which is an unfair comparative advantage that would drive some of the health insurance companies out, probably lots of them, and take this where the President wants it to go, single payer.

The President, as a candidate, consistently argued that there should be one entity that paid for all health care in America. That would be the Federal Government taking over all of those 1,300 health insurance companies and those 100,000 policy varieties and those hundreds of millions of Americans that have legitimate health insurance programs. Eventually, the President wanted to take it all over, but he had to fall back on an argument of just providing some competition because the American people rejected that.

So we're supposed to believe that the idea of wanting the Federal Government to sell insurance was just an innocent thing that was designed to provide more competition. Well, we rejected that. And by the way, the United States Senate rejected that. So we didn't end up with an ObamaCare package that has a Federal health insurance component to it other than they're regulating every single policy in America, canceling every policy in America, deciding which ones they want to renew, setting up community ratings that go from seven to one down to three to one and driving up the premiums.

But what comes from all of this, Mr. Speaker? I'm taking you then back to property and casualty insurance. The private sector that used to insure all flood insurance in America saw their competitor come in. I think the year was 1963, plus or minus a year. I'm real close. And 1963 is going to hit it, actually.

In 1963, the Federal Government came in and provided us one more flood insurance company to provide a little more competition to level the playing field for the people who lived in the floodplain that didn't have enough alternatives. That sounds exactly like the argument that we have today. So the Federal Government got into that business. And over a few years, the property and casualty companies, those private sector insurance companies that reflected the risks and the

market in the premiums that they charged—and yes, they're in it for a profit. Thank God for profit. It's done more for the world than all the missionaries that went anywhere. As much as I believe in faith and the Lord's hand in everything that goes on on this planet, free enterprise capitalism has been a wonderful contribution to the well-being of all humanity, and it was a contributor in the flood insurance and property casualty insurance.

But the Federal Government got in the business in 1963, and over a period of time—and not a very long period of time—slowly those private sector companies realized they couldn't compete with Uncle Sam because they had to make a profit and they had to charge premiums that reflected the risk. So they dropped out, and for a long time, and certainly today, we cannot—no one in America can go out and buy flood insurance from the private sector. It all is sold by the Federal Government.

The Federal Government has taken over the flood insurance program in America lock, stock and barrel, root and branch, all of it. Every single vestige of flood insurance is all controlled by the Federal Government today. They set the premiums not by risk. They set the premiums by whatever bureaucrats think they ought to be, and they don't have to be profitable.

So that would explain why they are \$19.2 billion in the red in the Federal flood insurance program, and it would explain why in my district, FEMA has come out and has a new ruling that broadens the floodplain dramatically. It's just breathtaking to look at the map of the floodplain that was in blue—and, by the way, national banks that are making loans on mortgages that go into these floodplains require flood insurance to be paid and premiums to be paid.

So when they're in the red \$19.2 billion and they can't figure out how to charge premiums that reflect the risk and be able to get by with it because people probably can't afford those premiums, but they've expanded and developed their real estate in the floodplain based upon those premiums, having trouble raising the premiums on the people that owe the national banks money that had to buy them, so FEMA puts out a new map, a new map that widens the floodplains dramatically. These tiny little narrow areas become wide areas in the whole river valleys. And in one area, just one area within one of my 32 counties, there are 2,200 individual real estate parcels, most of them rural, that are now in a new floodplain created by FEMA's map and ruling, 1,100 property owners, 2,200 new properties, all of them now in a situation where they're going to have trouble expanding and building.

□ 1845

A lot of them are going to have to pay increased premiums for flood insurance that they didn't even have to buy before because they were out of the

floodplain, and the Federal Government cashes in. If I take this plan that they're trying to implement in my district and if I multiply it across all the real estate in the United States where it is awfully hard to use, the model that they use goes clear back to the early 1970s. It's nearly 40 years old, this model. The technology that they use is nearly 40 years old, so I can only guess.

If I use what they have in one of my counties as a measure, it looks to me like FEMA will be able to collect enough premiums that they can, maybe, recover their \$19.2 billion and more. Maybe FEMA will make so much money off of this that they'll be able to help subsidize Fannie Mae and Freddie Mac. Don't hold your breath, Mr. Speaker, but this is 40-year-old technology.

We know this: anybody who has ever filled any sandbags and who has fought a flood knows, first, that the adrenalin rushes up in your blood. As the water is coming up, your adrenalin boils up in you, too, and you work harder and more feverishly as the water comes up. Many times, those sandbags along there are just, maybe, high enough, an inch or two, because you're stacking them on there as the water comes up. They're maybe 5, maybe a half an inch or a half a foot, maybe 5 inches or a half a foot—or even a foot.

Do you know, Mr. Speaker, that the FEMA model is so imprecise and of such ancient technology that their accuracy is within plus or minus 10 meters? That's 10 meters. Now, I didn't do the precise multiplier on it, but let's just say it's 30 feet, plus or minus. Let's just say they're right on the average. Let's just say I stand on this floor, and they say, Well, the flood might be here or it could be 10 meters up. Well, in looking at the ceiling of this Chamber, they could be that far off. They could be off more than 30 feet on the elevation of the water that they're predicting.

Meanwhile, we have the Corps of Engineers, which has hydraulic models that can tell us whether we can build in a floodplain and what the flow is and how we might have to construct our structures so that we don't constrict the flow when we have a flood. They can tell us where the 100-year flood event is and where the 500-year flood event is.

Yet who should be surprised that FEMA and the Corps of Engineers can't get together on this and use modern technology? I'm wondering if they have the will or if it happens to be that someone decided that they could just use this 40-year-old model that is plus or minus within 10 meters and impose flood insurance premiums on a whole bunch of Americans, who are unsuspecting and who are probably unable to pay these premiums, to make up for the \$19.2 billion in loss that they've got in flood insurance.

Now, I tell this long story to describe what is in store for us if ObamaCare is not repealed 100 percent—every single

bit of it—and done in the shortest order possible at the will of the American people. Though, before I get to how ObamaCare will transform out, it is really worthwhile for us to look back and see how the Federal Government swallows up other formerly private entities.

Back during that period of time when the Federal flood insurance was passed, it was also true that education loans were private sector. If you wanted to go off to college, you went and borrowed the money from the private sector. Then they set up the student loan plan as a means to provide other alternatives so that private lenders weren't handling all of the student loans. The Federal Government came in and did that, by my recollection, at about that same period of time.

What is predictable about this? What is predictable is, if the Federal Government gets into a business to compete, they have an unfair advantage, an illegitimate comparative advantage. They don't have to have profit. They don't have to balance their books. They don't have to be good at it. They just have to drive the competition out. They do what a monopolist would do. If somebody is trying to become a monopoly, they try to drive all of their competition out by underpricing, and they distort it to the point where nobody else can stay in the business. Then they're the only one in the business. Then they start to jack the prices up again.

Well, it took the Federal Government a long time, but in the dark of the night, in the heat of the ObamaCare battle—in the recision legislation that slipped through this Congress without an opportunity to evaluate it—there was the sneaky piece of legislation that converted what was left of the student loan plans from the private sector into completely the maw of government, itself.

So, in this period of time that I have described, we have seen the transformation of a completely private, independent-standing property and casualty flood insurance that faced a Federal Government that wanted to provide just one more competitor into the marketplace so that people had more choices and a Federal Government that swallowed it all up and that drove everybody out of business and a Federal Government that has done so, the same thing, with the student loan program in the United States. They had to hitch it onto ObamaCare to do it.

What a bunch of cynics that they couldn't do something like that in broad daylight in front of all of America. No. They had to stick it in when they had the major diversionary tactic of another swallow-up of the private sector—remember, a month ago or 6 weeks ago, whatever that date was—of all of the health insurance in America.

Some will say that there are exceptions—Medicare, for example. Medicaid would be another. Then you can argue whether those are insurance policies or

government programs to pick people up when they're destitute and to take care of them when they reach retirement age. But for those folks who are under Medicare eligibility or who have incomes outside of Medicaid, we didn't see a Federal health insurance program except for SCHIP, which is the State Children's Health Insurance Program. This was another effort to try to close this gap.

There has been effort after effort for the liberals, for the progressives—for the people who just simply deny the liberty of the American people—to take over the health care in America.

Bill Clinton stood here, I believe, on September 13 in about 1993, and he gave his health care speech. He wanted to take it all over then. He turned Hillary loose with HillaryCare, and Hillary began meeting in private and in public. She actually had more public meetings, I think, than we had this time around. Although, we were quite critical of the private meetings she had, too. She wrote a bill, and that bill was the government takeover of health care. Well, they couldn't get that done. Bill Clinton came back, and he said, You know, we can't get this done, but we're going to do it incrementally.

I believe in that September 13 speech he actually made the proposal—and I know I can find it in his speeches during that era—when he wanted to lower the Medicare eligibility from 65 to 55. That's when they brought the idea of SCHIP, the State Children's Health Insurance Program, which is set up to buy very, very cheap health insurance for kids. They put that out through the States. In Iowa, it is known as Hawkeye with a little better than a 2 to 1 Federal match.

So, when you're sitting in a State legislature, the Federal Government says, You know, help out with some of these cheap health insurance premiums for these kids who can't afford them. Otherwise, here's what we'll do. If you'll put \$1 down out of your State tax coffers, we'll put \$2 and change down. Let's see. I think it's 70 percent funding by the Federal Government and 30 percent by the States.

The States adopted it because it was—do you remember the phrase?—free money, Mr. Speaker. Well, nothing is free. We know that, but it was viewed as free money by the State legislatures. They adopted SCHIP. In Iowa, it was Hawkeye.

Then at the same time that Bill Clinton would have liked to have dialed the Medicare eligibility age down to 55, you can see what's happening. If you reduce the age of eligibility for Medicare and if they're seeking to expand Medicaid—and they've been doing that and have been lowering the standards for eligibility to Medicaid from the lower income side of the scale—and if you make these kids eligible for SCHIP, you're squeezing this from the outside, from the middle. You're lowering the senior age to 55, and you're making sure you're insuring the kids—pick your age—well into their 20s.

We had States that had as high a percentage as 66 percent of people who were not kids but adults who were on the SCHIP program. Wisconsin would be one of those States. There was another State that went higher than that. It may have been Minnesota. They had a number that went up into the 80s. I think it was 87 percent. So they were using SCHIP to expand it where they could provide health insurance premiums for people because they wanted to have a single-payer plan eventually. That's what was going on with the strategy of trying to establish this single-payer plan.

In the middle of all of this, you know, the Republicans came in, and we fought some of that back. Then Nancy PELOSI was finally elected as Speaker of the House. What did she bring to us here on this floor but an SCHIP program, which had been set at 200 percent of poverty so that a family of four at 200 percent of poverty in my State would be set at about \$52,000, in order to turn it up to 400 percent of poverty. It passed the House at the insistence of the Speaker, and I was the only member of the Iowa delegation to oppose it. It would have gone to 400 percent of poverty, which would have meant that a family of four in Iowa who was making \$103,000 a year would have had the health insurance for their kids paid for by some taxpayer who would probably not be making that much.

While that was going on, there would be people who would have to pay the rich man's tax, the Alternative Minimum Tax. There would be 70,000 families in America who would be paying the rich man's tax, the Alternative Minimum Tax. I have trouble saying "AMT" these days. It's the Alternative Minimum Tax. There would be 70,000 families who would be paying the Alternative Minimum Tax who would still be eligible for the SCHIP funding for health insurance for their children.

Do you see where this goes? If you have the subsidy at the means testing side of this where lower income people are multiplied from 100 percent of poverty, to 200 percent, to 300 percent, to 400 percent—and by the way, we ratcheted it back down to 300 percent—and allowed \$3 billion or more worth of Medicaid funding to go in and fund illegals into the market of all of that, it squeezes it against the middle.

Can you imagine, Mr. Speaker, someone who would be about 45 years old who would watch the eligibility of the Medicare age drop down to 55, who would watch somebody who is collecting SCHIP who is now 35 years old and who would watch those at 400 percent of poverty—families with \$103,000, families of four—having their health insurance premiums paid while they would still be paying the Alternative Minimum Tax? People are looking at this, thinking, Well, the people 10 years older than I get free health care, and the people 10 years younger than I get free health care. I'm the one who's working, who's paying for my own pre-

miums and raising my own family, and everybody else is, too. Why do I try? Do I do that because I'll have higher quality health care?

Yes, that would be a good answer. The people who are responsible should live a little better than those who don't in this country. We have got to leave incentives in place.

That was the strategy—to squeeze the middle, to put such a load on the people who were still paying for their own or who were earning their own health care, their own health insurance at their workplace or wherever their deal might be, that they would just capitulate, throw up their hands and say, Give me the European model. I've got it anyway. I'm paying for it for everybody else. Why am I buying my own with after-tax dollars? That is the strategy.

It is so cynical to crush the spirit of people, to take away their constitutional rights and to impose upon them a national health care act. It was rejected during the Hillary era. They called it HillaryCare. They rejected it in Massachusetts, Mr. Speaker. The people in Massachusetts rejected ObamaCare. Still their hearts were hardened, and still they were determined to come down here and impose the policy on the American people.

Well, I'm not letting it go. I will not let it go for a whole series of reasons, but the constitutional reasons are the most important ones.

It is unconstitutional to require any American to buy a product that is either produced or approved by the Federal Government under penalty of law. It has never happened in the history of this country. It is a violation of a series of components within our Constitution—and don't think I can't come up with them, Mr. Speaker. Certainly, I know what they are. They are four places.

It is a violation of the Commerce Clause because there will be and always have been babies born in States who didn't advantage themselves of any kind of health care whatsoever. They didn't participate in any commerce when it came to health care, and they maybe didn't travel outside of their States at all, so there wasn't even the risk of their going out to be eventually, potentially, picked up by ambulances in other States. The risk didn't exist, so they didn't use health care in the States they lived in. They didn't go outside the States they lived in. They lived lives long or short, healthy or not, and passed away into the next life never having engaged in interstate commerce that had anything to do with ObamaCare, which means it's a violation of the Commerce Clause, swift and certain, without a lot of hard analysis required.

If the Commerce Clause doesn't apply to say that the passage of ObamaCare is verboten under the Constitution, if the Commerce Clause doesn't apply on ObamaCare, then it doesn't apply whatsoever for anything imaginable,

and it's no restraint whatsoever. You would believe that if you were an activist judge. I reject that.

The second part is that it's not in the enumerated powers. There is nothing there in the Constitution that defines any power to impose an obligation by any citizen or any person in the United States to buy a product that is produced by the Federal Government or approved by the Federal Government. That's the second thing.

The third thing is that it violates the Equal Protection Clause of the Constitution.

We're going to go to four here, Mr. Speaker.

The Equal Protection Clause of the Constitution says that all citizens whatsoever shall be treated the same regardless of race, ethnicity, national origin or the color of their skin, which is the whole list of the things that are there within title VII of the Civil Rights Act.

□ 1900

Well, people are treated differently in the States. The Cornhusker kickback notwithstanding, still the legislation treats people differently in Louisiana than it does in the rest of the country, Florida than it does in the rest of the country, several other jurisdictions or something like eight to 11 different areas in ObamaCare that treat people differently depending upon the geography of where they live. That's forbidden under the equal protection clause of the Constitution.

Fourth thing, and this is where we get to, it's a violation of the 10th Amendment. Not only is it not in the enumerated powers to impose this ObamaCare on Americans, but those powers that are not specified in the enumerated powers of the Constitution are reserved for the States or to the people respectively. And this is a violation of the separation of powers doctrine, which is in the 10th Amendment.

Four places, Mr. Speaker. It's not in the enumerated powers; it's a violation of the commerce clause; it's a violation of the equal protection clause; and it's a violation of the 10th Amendment. This Supreme Court will see these cases eventually, and when they do, an honest reading of the Constitution compels the Supreme Court to overturn the ObamaCare legislation. And I understand, and I have not read every word in there, that there's not a severability clause in that. And if that's the case, any component most likely that's found unconstitutional throws the whole business out.

I wish we had a provision that would put all of that paper back in the tree, Mr. Speaker, and give people back their liberty because that's what this bill does. It violates the Constitution and it takes people's liberty.

It takes our freedom to buy a policy that we want. It nationalizes our body. It takes over the most sovereign thing that we have, that's our skin and everything inside it; and the Federal

Government manages when we get the tests, what policies we will be able to buy, what the premiums will be. They'll regulate the premiums. They will decide what's offered in the policies, and the Federal Government will impose mandates on those policies that we don't even see in the legislation.

There will be mandates there for contraceptives. There will be mandates there for mental health. There will be mandates there for drug treatment. There will be mandates there probably for physical therapy. And we see also an effort to tax your pop if it's not diet pop, tax your soda if it's not diet soda. They want to tell you what you can eat and what you can drink. The next thing they'll be doing in this super-uber nanny state is run us across the scales and tax our fat. That will actually be the simplest way. If they're going to tax our diet, I wish they would just let me alone, run me across the scales and tax me by the pound.

But I want the freedom to eat what I want to eat, buy what I want to buy, live the way I want to live. And I want to be able to make my own decisions on whether I am going to exercise or whether I am going to go to a health club. And if my insurance company wants to set up an incentive for that because it's cost effective and they can offer me a lower premium, I'm quite likely to take advantage of that, and I think many Americans would do the same.

But this Federal Government cannot be allowed to continue on becoming even more of a nanny state than it already is. We've got to reject that, Mr. Speaker. We've got to abolish ObamaCare. We've got to pull it out root and branch so that there's not one vestige of it left behind, not one particle, not one cell, not one DNA particle of ObamaCare left in this Federal code because if we leave it, it's the equivalent of going in and removing a malignant tumor and leaving part of it there. It still is at great risk of metastasizing; and when that happens, it's the death knell to freedom and liberty in the United States of America.

We are not some other people. We are not the mirror of Europe with the stirring in of the later generations of more newly arriving immigrants, legal and illegal. We are a unique people. We have a unique character and a unique quality about us where we stand alone, apart from the rest of the world, for a lot of reasons, Mr. Speaker. Some of those reasons are self-evident, and some of those reasons are in the Declaration, and some of them are in the Bill of Rights. Some of them are actually in the Constitution in a broader sense.

But just to enumerate some of those reasons for American exceptionalism, and it's not politically correct to remind people but it's necessary that we do this, that we talk American exceptionalism, a number of them are these: we have the rule of law. The foundation for that is the Constitution.

The philosophy for the Constitution is in the Declaration. We have the right to life, liberty, and the pursuit of happiness. And life is the paramount right, and it is paramount to liberty, which is more important than the pursuit of happiness.

So working from the bottom of the scale up, Mr. Speaker, it works like this: someone in the pursuit of their happiness cannot infringe on someone else's liberty because liberty trumps pursuit of happiness. And, by the way, pursuit of happiness, it was understood by our Founding Fathers to go back to the Greek meaning, which the Greek word for pursuit of happiness is *eudaimonia*, which in its definition speaks to a search for knowledge, a search for truth, and it implies both the physical and the mental. So to be sound in body and mind and in a search for truth and a search for knowledge, that's the pursuit of happiness because they believed that out on the other end of that scale that ultimate knowledge would provide that ultimate level of happiness. And there's some wisdom in that philosophy. It's Godless, but there's some wisdom in the philosophy of achieving ultimate knowledge. Pursuit of happiness was *eudaimonia*, that search for knowledge.

But someone in their search for knowledge, in their pursuit of happiness/knowledge, cannot travel on someone else's liberty. Liberty is more important than the pursuit of happiness. And someone in the search for their liberty cannot use that liberty to take someone else's life. Individual life is too precious. It cannot be taken by someone because they say they have a liberty. Neither can someone who is in pursuit of their happiness take someone else's liberty because it makes them happy. Our liberties are guaranteed here, and the infringement upon them is that we have to respect life more than liberty. We have to respect liberty more than the pursuit of happiness. Those are prioritized rights that are self-evident that come from God, endowed by our creator.

And here we sit in the United States with that philosophical foundation in the Declaration that was basis for our Constitution and the rights that are there that made America a great country—freedom of speech, religion, press, the right to peaceably assemble and petition government for redress of grievances, the right to keep and bear arms. Moving up the line, the right to be free from double jeopardy and to be tried by a jury of your peers.

And the right to property in the Fifth Amendment, which has been amended now in the Supreme Court of the United States in the *Kelo* decision where they struck the words "for public use" out of the Fifth Amendment, which says "nor shall private property be taken for public use without just compensation." Now the effect of the *Kelo* decision was that Fifth Amendment has been usurped by the last nine people that should be amending the

Constitution, the Supreme Court Justices—it wasn't nine, by the way, and I applaud those that opposed it. But now the Fifth Amendment reads: "Nor shall private property be taken without just compensation."

Mr. Speaker, I know mentally you put "for public use" in there, but they took it out. Local governments now occasionally, and I hope not routinely, confiscate private property, individual private property, and they give it over to other private property owners because they think they will get more tax dollars out of it.

But property rights are a foundation of the success in America. And along the way, free enterprise capitalism is another foundation for the success in America.

So you can buy a piece of property and it's yours. As long as you pay for it and pay the property tax on it, you get to keep it. And that can be the basis for your equity that you engage in starting businesses, setting up factories, building homes, expanding farms. Those things that have been the basis of our prosperity are rooted in the rule of law, the right to property, free enterprise capitalism. Also the moral foundation that came over for the freedom of religion rooted in our Judeo-Christian values, which are the thread of our culture today. All of those are reasons why America is a great country.

Another reason is because we have skimmed the cream of the crop off of every donor civilization that has sent legal immigrants to the United States. The cream of the crop, the people with the vigor and the vitality and the dream. And they found a way to get on-board a ship or whatever means they could to come here and enter into the United States through a legal port of entry to chase their dreams.

And some of them came with a significant amount of capital to give it a go. And a lot of them came with the clothes on their back and the possessions they had in their bag, like my grandmother. And as they arrived here, they began to carve out their American Dream with the kind of vision and the kind of vigor that gave them the idea to come here in the first place. This America, this land of almost unlimited natural resources, a land that has the very foundation of liberty and freedom as the essence and the core of its being, welcomed legal immigrants here who were called by that clarion call of liberty and freedom and property rights and unlimited natural resources and unlimited opportunity in a moral society that was rooted in Judeo-Christian values. And they came here and built a Nation in the blink of a historical eye, settled the North American continent, expanded manifest destiny from sea to shining sea. And all of this has attracted people to come to America.

Now, we are either the first generation immigrants that came here, hopefully legally, with that vigor of that dream or the second, third, fourth,

fifth, or multiple generations, the descendants of that same dream, imbued with American self-confidence and American can-do spirit and a confidence that we can face any challenge, we can bear any burden. That's the American spirit.

And we cannot be capitulating to the European utopian version that's going to have a social program to fix any ill. We can't be trapped into this idea that we can sit down and produce some kind of a policy that will solve every problem. All we need to do is have our default system come back to the Constitution, come back to free enterprise, come back to individual responsibility. If we do all of those things and adhere to the Constitution itself, free enterprise capitalism, maintain our moral foundation, nurture the family unit as the means through which we pour all of our values, if we do all of that, America will be just fine.

But Jimmy Carter, when he was running for President and as he was exploring the first-in-the-nation caucus and establishing that as a viable route to the Presidency in Iowa, I read in an interview back in those years in the mid-1970s where Jimmy Carter said the people that work should live better than those that don't. Now, I don't know that Jimmy Carter ever actually acted on that, but that's what he said, and it caught my attention. It was a very simple way of describing this. The people that work should live better than those that don't.

Well, that's not the prevailing philosophy in this Congress any longer. It is the people that don't work need to live as well as anybody. So we have 72 different welfare programs, according to Robert Rector of the Heritage Foundation. In the mid-1990s when we reformed welfare—I wasn't here—but when this Congress reformed welfare in the mid-1990s, there wasn't the dramatic drop in the cost in welfare. It reduced it a little bit and then it stayed on a plateau and then it climbed again. The welfare has been climbing at a rate that's comparable to or greater than the rate that it was climbing going into the mid-1990s. And we have accepted this. I don't accept it but this society has.

This society has also accepted rampant drug abuse so that there's a huge demand for illegal drugs coming out of Mexico, from or through Mexico. That is the core of the problem that we have with the border today and the violence on the border today, and whatever we do to help the Mexicans and seal our border, we need to do that. We need to stop the bleeding, but as long as there is a powerful demand in the United States for tens of billions of dollars in illegal drugs, then there will always be the illegal traffic coming across the border.

□ 1915

Mr. Speaker, this is a bit of a rendition on where America is today, a little bit on how we got here, a little bit

about the economics of it, a little about the history, a fair amount about what's going on with ObamaCare.

This is my statement and my commitment, that I will not rest. I will continue to turn the pressure up to get the passage of the repeal for ObamaCare that I have introduced in this Congress and now should have, if I can add this up, 66 cosponsors on this legislation today.

Mr. Speaker, the number of the legislation, should you choose to look it up and sign on is H.R. 4972. That's the legislation that will one day, at least the language of it if not that particular bill number, arrive at the President's desk, where this President would veto it. But with a new majority in 2011, we will have the votes in here to shut off any funding of ObamaCare so that it cannot be enacted.

It doesn't become fully enacted until 2014. So 2011 and '12 this Congress, has to start all spending, by the Constitution. We say, no, there won't be any funding for the implementation of ObamaCare, so we will put it on ice for 2011 and 2012. While that's going, we will put the repeal on President Obama's desk and make him veto it. And when he vetoes it, we can take a look and see if we can override it. That will be very hard, but it's not completely impossible.

But in 2012 we elect a new President and a new Congress. And that new President and new Congress need to take the pledge that I have taken, which is plank number one, full 100 percent abolishment of ObamaCare, all of it, without any hesitation, without any caveats.

And let's put that on the desk of the new President, Mr. Speaker, that will be sworn in January 20 of 2013. And while he stands on the west portico—we will gavel in on January 3, 2013, in here. That's what the Constitution says we do. We will be thy then in a position where we can pass the repeal of ObamaCare, have it sitting there so that when he takes his oath of office January 20, 2013, and puts his hand down as the President of the United States, his first act, Mr. Speaker, can be to put his pen to the bill that repeals ObamaCare and sign that legislation on the spot at the podium on the west portico of this Capitol building and give America back our economic freedom, but more importantly, give us back our human liberty.

That's the goal that we have to follow if we are to achieve the greatness that America has ahead of us. If not, we will be trailing in the dust the golden hopes of men and forever diminishing our opportunities, forever diminishing our potential, taking away human potential, discouraging individual entrepreneurs, people that would never realize their dreams because they would be growing up in a nanny state that has taken over the banks, the investment companies, the insurance companies, the car companies, Fannie and Freddie, the student

loans, nationalize our body, our skin and everything inside it, and, by the way, put a 10 percent tax on the outside if you go into a tanning salon. All of this taken over and the financial institutions. I want it all back. I want it back for the American people, the American workers, and the American entrepreneurs. I want our spirit back.

I am going to work to get it back, Mr. Speaker. I appreciate your attention.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. MCCOLLUM (at the request of Mr. HOYER) for today on account of official business in district.

Mr. BONNER (at the request of Mr. BOEHNER) for today on account of his required presence in his district relating to coordinated oil spill response efforts with constituents and State and Federal officials.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. KLEIN of Florida, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

(The following Members (at the request of Mr. POE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. JONES, for 5 minutes, May 13.

Mr. POE of Texas, for 5 minutes, May 13.

Mr. GINGREY of Georgia, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, May 11, 12, and 13.

Mr. MORAN of Kansas, for 5 minutes, May 13.

Mr. PAUL, for 5 minutes, May 12 and 13.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3111. An act to establish the Commission on Freedom of Information Act Processing Delays, Committee on Oversight and Government Reform.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 17 minutes p.m.), under its previous order, the

House adjourned until tomorrow, May, 7, 2010, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7351. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Polyglyceryl Phthalate Ester of Coconut Oil Fatty Acids; Exemption from the Requirement of a Tolerance; Technical Correction [EPA-HQ-OPP-2008-0888; FRL-8436-3] received April 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7352. A letter from the Deputy Secretary, Department of Defense, transmitting the Department's fourth quarter report for calendar year 2009 as required by the Joint Improvised Explosive Device Defeat Fund; to the Committee on Armed Services.

7353. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Kingdom of Morocco pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

7354. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's thirty-second annual report summarizing actions the Commission took during 2009 with respect to the Fair Debt Collection Practices Act, 15 U.S.C. 1692-1692o, pursuant to 15 U.S.C. 1692m; to the Committee on Financial Services.

7355. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report for fiscal years 2007 to 2008 on the Family Violence Prevention and Services Program, pursuant to 42 U.S.C. 10405, section 306; to the Committee on Education and Labor.

7356. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's reports entitled, "The National Healthcare Quality Report 2009 (NHQR)" and "The National Healthcare Disparities Report 2009 (NHDR)", pursuant to Public Law 106-129; to the Committee on Energy and Commerce.

7357. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Transportation Conformity Requirement for Bernalillo County [EPA-R06-OAR-2005-NM-0007; FRL-9140-2] received April 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7358. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Tennessee; Visibility Impairment Prevention for Federal Class I Areas; Removal of Federally Promulgated Provisions [EPA-R04-OAR-2010-0150-201009(a); FRL-9138-9] received April 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7359. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Revisions to the Kentucky State Implementation Plan [EPA-R04-OAR-2010-0502-201011; FRL-9139-1] received April 16, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7360. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations Based on the 2009 Missile Technology Control Regime Plenary Agreements [Docket No.: 0912031426-0047-01] (RIN: 0694-AE79) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

7361. A letter from the Secretary, Department of Defense, transmitting the report on Measuring Stability and Security in Iraq pursuant to Section 9204 of the Department of Defense Supplemental Appropriations Act 2008; to the Committee on Foreign Affairs.

7362. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's annual report for 2009 on Voting Practices in the United Nations, pursuant to Public Law 101-246, section 406; to the Committee on Foreign Affairs.

7363. A letter from the General Manager, Defense Nuclear Facilities Safety Board, transmitting the Board's annual report for FY 2009 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

7364. A letter from the Secretary, Department of Labor, transmitting pursuant to Title II, Section 203, of the Notification and Federal Employee Antidiscrimination and Retaliation Act (No FEAR Act), the Department's annual report for FY 2009; to the Committee on Oversight and Government Reform.

7365. A letter from the President, Inter-American Foundation, transmitting the Foundation's annual report for fiscal year 2009 on the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Oversight and Government Reform.

7366. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Westinghouse Electric Corp., in Bloomfield, New Jersey, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

7367. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from Area IV of the Santa Susana Field Laboratory in Stana Susana, California, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

7368. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Nevada Test Site, Mercury, Nevada, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

7369. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Lawrence Livermore National Laboratory in Livermore, California, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

7370. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers from the Lawrence Berkeley National Laboratory in Berkeley, California, to be added to the Special Exposure Cohort (SEC), pursu-

ant to the Energy Employees Occupational Illness Compensation Program Act of 2000; to the Committee on the Judiciary.

7371. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties, pursuant to Public Law 110-53, section 803 (121 Stat. 266, 360); to the Committee on the Judiciary.

7372. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2008 Annual Report of the National Institute of Justice, pursuant to 42 U.S.C. 3766(c) and 3789(e); to the Committee on the Judiciary.

7373. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; March Fireworks displays within the Captain of the Port Puget Sound Area of Responsibility (AOR) [Docket No.: USCG-2010-0143] (RIN: 1625-AA00) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7374. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Dive Platform, Pago Pago Harbor, American Samoa [Docket No.: USCG-2010-0002] (RIN: 1625-AA00) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7375. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area: Narragansett Bay, RI and Mount Hope Bay, RI and MA, including the Providence River and Taunton River [Docket No.: USCG-2009-0143 (formerly Docket Nos. D01-05-094 and Docket No. USCG-01-06-052] (RIN: 1625-AA11) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7376. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Freeport Channel Entrance, Freeport, TX [Docket No.: USCG-2008-0125] (RIN: 1625-AA87) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7377. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Brazos River, Freeport, TX [Docket No.: USCG-2009-0501] (RIN: 1625-AA87) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7378. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; NASSCO Launching of USNS Charles Drew, San Diego Bay, San Diego, CA [Docket No.: USCG-2010-0093] (RIN: 1625-AA00) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7379. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Freeport LNG Basin, Freeport, TX [Docket No.: USCG-2008-0124] (RIN: 1625-AA87) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7380. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Mead Intake Construction; Lake Mead, Boulder City, NV [Docket No.: USCG-2009-1031] (RIN: 1625-AA00) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7381. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Hudson River South of the Troy Locks, New York [Docket No.: USCG-2010-0009] (RIN: 1625-AA11) received April 22, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7382. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Industry Director Directive #3 LMSB Tier II Issue Section 172(f) Specified Liability Losses received April 15, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7383. A communication from the President of the United States, transmitting a report consistent with the requirements of the National Defense Authorization Act for FY 2009; to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRANK of Massachusetts: Committee on Financial Services. H.R. 5072. A bill to improve the financial safety and soundness of the FHA mortgage insurance program; with an amendment (Rept. 111-476). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HOLT:

H.R. 5228. A bill to amend the Help America Vote Act of 2002 to establish standards for the publication of the poll tapes used in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. HOLT:

H.R. 5229. A bill to amend the Help America Vote Act of 2002 to establish standards for the transparent and accurate tabulation of votes and aggregation of vote counts in elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. HEINRICH:

H.R. 5230. A bill to direct the Secretary of Defense to carry out a pilot program on collaborative energy security; to the Committee on Armed Services, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas (for himself and Mr. SCHIFF):

H.R. 5231. A bill to amend the Controlled Substances Act to clarify that persons who enter into a conspiracy within the United States to possess or traffic illegal controlled substances outside the United States, or engage in conduct within the United States to aid or abet drug trafficking outside the United States, may be criminally prosecuted in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for

consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KRATOVIL:

H.R. 5232. A bill to amend title 18, United States Code, to permit a court to sentence an offender who is determined to be sexually dangerous to a term of special confinement for the prevention of sexual predation, and for other purposes; to the Committee on the Judiciary.

By Ms. SHEA-PORTER (for herself, Mr. JONES, Mr. BRADY of Pennsylvania, Mr. FORBES, Mrs. CHRISTENSEN, Mr. AL GREEN of Texas, Mr. HINOJOSA, Mr. MCGOVERN, Mr. PAYNE, Mr. SCHIFF, Mr. GRIJALVA, and Mr. OWENS):

H.R. 5233. A bill to amend title 10, United States Code, to recognize the contributions made by the spouses of members of the Armed Forces who serve in combat through the presentation of an official lapel button, and for other purposes; to the Committee on Armed Services.

By Mr. WEINER (for himself and Mr. MORAN of Kansas):

H.R. 5234. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act, the Internal Revenue Code of 1986, and title XVIII of the Social Security Act to ensure transparency and proper operation of pharmacy benefit managers; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WELCH (for himself and Mr. ROGERS of Michigan):

H.R. 5235. A bill to amend title XVIII of the Social Security Act to exempt blood glucose self-testing equipment and supplies furnished by small retail community pharmacies from Medicare competitive acquisition programs; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. DINGELL, Ms. MOORE of Wisconsin, Mr. TANNER, Mr. CHILDERS, Mr. BERRY, Mr. CONYERS, Mr. JOHNSON of Georgia, Ms. GRANGER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PERLMUTTER, Mr. PAYNE, Mr. PASCRELL, and Mr. YARMUTH):

H.R. 5236. A bill to amend SAFETEA-LU to ensure that projects that assist the establishment of aerotropolis transportation systems are eligible for certain grants, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ALTMIRE (for himself and Mr. DENT):

H.R. 5237. A bill to add joining a foreign terrorist organization or engaging in or supporting hostilities against the United States or its allies to the list of acts for which United States nationals would lose their nationality; to the Committee on the Judiciary.

By Mr. BISHOP of Utah (for himself and Mr. CHAFFETZ):

H.R. 5238. A bill to exempt the State of Utah from Federal programs in the areas of education, transportation, and Medicaid so that the State of Utah can undertake innovative methods to manage these government programs using Utah's portion of Federal revenues for these programs, and for other purposes; to the Committee on Education and Labor, and in addition to the Commit-

tees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOSWELL (for himself, Mr. BRALEY of Iowa, and Mr. LOEBSACK):

H.R. 5239. A bill to amend the Internal Revenue Code of 1986 to provide an additional 25 percent allowance for the deduction of qualified residence interest with respect to a principal residence, and to waive recapture of the first-time homebuyer tax credit with respect to residences purchased during 2008; to the Committee on Ways and Means.

By Ms. CORRINE BROWN of Florida:

H.R. 5240. A bill to provide for child safety, care, and education continuity in the event of a presidentially declared disaster; to the Committee on Education and Labor, and in addition to the Committees on Energy and Commerce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. MARKEY of Massachusetts, Ms. CASTOR of Florida, Mr. PRICE of North Carolina, Mr. FARR, Ms. MATSUI, Ms. MCCOLLUM, Ms. HIRONO, Mr. SHERMAN, Mr. HASTINGS of Florida, Ms. LEE of California, Mr. MOORE of Kansas, Ms. SPEIER, Mr. BRALEY of Iowa, and Ms. ZOE LOFGREN of California):

H.R. 5241. A bill to establish an independent, nonpartisan commission to investigate the causes and impact of, and evaluate and improve the response to, the explosion, fire, and loss of life on and sinking of the Mobile Drilling Unit Deepwater Horizon and the resulting uncontrolled release of crude oil into the Gulf of Mexico, and to ensure that a similar disaster is not repeated; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COURTNEY:

H.R. 5242. A bill to direct the Administrator of the Federal Emergency Management Agency to establish a disaster recovery assistance program for businesses, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CUELLAR:

H.R. 5243. A bill to amend the Patient Protection and Affordable Care Act to clarify that the Act does not affect standards or procedures in medical malpractice actions; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Illinois (for himself, Mr. YARMUTH, Mr. ROSKAM, and Mr. DAVIS of Kentucky):

H.R. 5244. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received for services by a student at a work-college; to the Committee on Ways and Means.

By Mr. HOLDEN (for himself and Mr. SHUSTER):

H.R. 5245. A bill to establish minimum standards for engineered glass beads used in reflective markings; to the Committee on Transportation and Infrastructure.

By Mr. KENNEDY:

H.R. 5246. A bill to examine and improve the child welfare workforce, and for other

purposes; to the Committee on Education and Labor.

By Mr. LANGEVIN (for himself, Mr. MCCAUL, Mr. RODRIGUEZ, Mr. RUPPERSBERGER, Ms. CLARKE, Ms. LORETTA SANCHEZ of California, Ms. MARKEY of Colorado, and Mr. SMITH of Washington):

H.R. 5247. A bill to establish a National Cyberspace Office, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself, Ms. CASTOR of Florida, and Mr. GARAMENDI):

H.R. 5248. A bill to amend the Outer Continental Shelf Lands Act to prohibit the leasing of any area of the outer Continental Shelf for the exploration, development, or production of oil, gas, or any other mineral; to the Committee on Natural Resources.

By Mr. PERLMUTTER (for himself, Mr. COFFMAN of Colorado, Ms. MARKEY of Colorado, Mr. KAGEN, Mr. ETHERIDGE, Mr. CHANDLER, and Mr. DAVIS of Tennessee):

H.R. 5249. A bill to provide amortization authority in certain situations, for purposes of capital calculation under the Financial Institutions Examination Council's Consolidated Reports of Condition and Income; to the Committee on Financial Services.

By Mr. SABLAN:

H.R. 5250. A bill to direct the Election Assistance Commission to make an election administration improvement payment to the Commonwealth of the Northern Mariana Islands under title I of the Help America Vote Act of 2002, to treat the Commonwealth as a State for the other purposes of such Act, and for other purposes; to the Committee on House Administration.

By Mrs. SCHMIDT (for herself, Mr. CAO, Mr. LAMBORN, and Mr. WILSON of South Carolina):

H.R. 5251. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for birth mothers whose children are adopted; to the Committee on Ways and Means.

By Mr. SPRATT:

H.R. 5252. A bill to amend the American Recovery and Reinvestment Act of 2009 and the Internal Revenue Code of 1986 to provide incentives for the development of solar energy; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIAHRT:

H.R. 5253. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Oversight and Government Reform.

By Ms. SPEIER (for herself, Ms. SLAUGHTER, Mr. WU, Mrs. DAVIS of California, Mr. MCDERMOTT, Mr. NEAL of Massachusetts, Ms. BERKLEY, Ms. MATSUI, Ms. LEE of California, Mrs. MALONEY, Mr. GRIJALVA, Ms. WASSERMAN SCHULTZ, Mr. PASCRELL, Mr. POLIS, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. SPRATT, Mr. CONNOLLY of Virginia, Mr. MCNERNEY, Mr. STARK, Mr. THOMPSON of California, Mr. FARR, Mr. GARAMENDI, Ms. KAPTUR, Mr.

TONKO, Mr. SCHAUER, Ms. MOORE of Wisconsin, Ms. WOOLSEY, Mr. KIND, Mr. CUMMINGS, Ms. WATSON, Mr. HOLT, Mr. DEFAZIO, Mr. ACKERMAN, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. MCGOVERN, Mr. PLATTS, Mr. FILNER, Mr. LANGEVIN, Ms. SCHWARTZ, Ms. MCCOLLUM, Ms. CLARKE, Mr. SCHIFF, Mr. CONYERS, Mr. CAO, Mrs. CHRISTENSEN, Mr. DICKS, Mr. PALLONE, Ms. CASTOR of Florida, Mr. RAHALL, Mr. SNYDER, Ms. NORTON, Ms. BORDALLO, Mr. HALL of New York, Mr. BERMAN, Mr. SHERMAN, Mr. ALEXANDER, Mr. ROTHMAN of New Jersey, Ms. HIRONO, Mr. WATT, Mr. GUTIERREZ, Mr. YARMUTH, Ms. SUTTON, Mr. HINCHEY, and Mr. HARE):

H. Con. Res. 275. Concurrent resolution expressing support for designation of the week beginning on the second Sunday of September as Arts in Education Week; to the Committee on Education and Labor.

By Mr. ANDREWS (for himself, Mr. GARRETT of New Jersey, and Mr. CULBERSON):

H. Con. Res. 276. Concurrent resolution expressing the sense of Congress relating to a free trade agreement between the United States and Taiwan; to the Committee on Ways and Means.

By Mr. ROE of Tennessee:

H. Res. 1333. A resolution expressing support for the goals and ideals of Children's Book Week; to the Committee on Education and Labor.

By Mr. LARSON of Connecticut:

H. Res. 1334. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to, considered and agreed to.

By Mr. KIRK (for himself and Ms. BALDWIN):

H. Res. 1335. A resolution calling on the Government of the Republic of Malawi to respect the fundamental human rights of its citizens, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SMITH of Texas (for himself, Mr. MCCAUL, Mr. DOGGETT, Mr. CARTER, Mr. CUELLAR, Mr. RODRIGUEZ, Mr. HINOJOSA, Mr. GOHMERT, Mr. SESSIONS, Mr. MARCHANT, Mr. OLSON, Mr. PAUL, Mr. BURGESS, Mr. NEUGEBAUER, Mr. THORNBERRY, Mr. BRADY of Texas, Ms. GRANGER, Mr. CULBERSON, Mr. SAM JOHNSON of Texas, Mr. CONAWAY, Mr. HENSARLING, Mr. HALL of Texas, Mr. GONZALEZ, Mr. POE of Texas, Mr. ORTIZ, Ms. JACKSON LEE of Texas, Mr. BARTON of Texas, Mr. GENE GREEN of Texas, Mr. EDWARDS of Texas, Mr. AL GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. REYES):

H. Res. 1336. A resolution congratulating the University of Texas men's swimming and diving team for winning the NCAA Division I national championship; to the Committee on Education and Labor.

By Mr. COOPER (for himself, Mr. DAVIS of Tennessee, Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. DUNCAN, Mr. GORDON of Tennessee, Mr. WAMP, Mr. COHEN, and Mr. TANNER):

H. Res. 1337. A resolution expressing the sympathy and condolences of the House of Representatives to those people affected by the flooding in Tennessee, Kentucky, and Mississippi in May, 2010; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI (for herself, Mr. GEORGE MILLER of California, Mr. PRICE of North Carolina, Mr. PLATTS, Mr. EHLERS, Ms. MOORE of Wisconsin, and Ms. SLAUGHTER):

H. Res. 1338. A resolution recognizing the significant accomplishments of AmeriCorps

and encouraging all citizens to join in a national effort to raise awareness about the importance of national and community service; to the Committee on Education and Labor.

By Mr. MCDERMOTT (for himself and Mr. LINDER):

H. Res. 1339. A resolution expressing support for designation of May as National Foster Care Month and acknowledging the responsibility that Congress has to promote safety, well-being, improved outcomes, and permanency for the Nation's collective children; to the Committee on Ways and Means.

By Mrs. NAPOLITANO:

H. Res. 1340. A resolution congratulating the California State Polytechnic University, Pomona men's basketball team for winning the 2010 NCAA Division II Men's Basketball National Championship; to the Committee on Education and Labor.

By Mr. RUPPERSBERGER:

H. Res. 1341. A resolution supporting K-12 geography education; to the Committee on Education and Labor.

By Ms. SCHAKOWSKY (for herself, Ms. MATSUI, Mr. ARCURI, Ms. BERKLEY, Mr. BLUMENAUER, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Ms. CLARKE, Mr. CONNOLLY of Virginia, Mr. COSTELLO, Mr. COURTNEY, Mr. DEFAZIO, Mr. DEUTCH, Mr. DOGGETT, Ms. FUDGE, Ms. GIFFORDS, Mr. GRIJALVA, Mr. HINCHEY, Mr. HINOJOSA, Ms. HIRONO, Mr. HOLT, Mr. JOHNSON of Georgia, Ms. KAPTUR, Ms. KILPATRICK of Michigan, Mr. KLEIN of Florida, Mr. LARSON of Connecticut, Mr. LOEBACK, Mr. MICHAUD, Ms. MOORE of Wisconsin, Ms. RICHARDSON, Mr. RODRIGUEZ, Ms. ROYBAL-AL-LARD, Mr. SCHAUER, Ms. SLAUGHTER, Ms. SPEIER, Ms. TITUS, Ms. TSONGAS, Ms. WOOLSEY, Ms. DELAULO, and Mr. FOSTER):

H. Res. 1342. A resolution entitled the "Seniors Bill of Rights"; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. DAVIS of Illinois introduced a bill (H.R. 5254) for the relief of Simaya T.K. Eversley; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 197: Mr. CRENSHAW.

H.R. 208: Mr. CUMMINGS, Ms. RICHARDSON, and Mr. TIERNEY.

H.R. 235: Ms. GRANGER and Mrs. DAHLKEMPER.

H.R. 275: Mr. WALDEN, Mrs. EMERSON, Mr. TIM MURPHY of Pennsylvania, and Mr. COFFMAN of Colorado.

H.R. 422: Mrs. DAHLKEMPER.

H.R. 442: Mr. GOHMERT.

H.R. 476: Mr. LYNCH.

H.R. 571: Mr. BISHOP of Georgia and Mrs. EMERSON.

H.R. 673: Mr. PATRICK J. MURPHY of Pennsylvania.

H.R. 758: Mr. LYNCH and Ms. NORTON.

H.R. 949: Mr. RAHALL.

H.R. 1067: Mr. HINCHEY.

H.R. 1203: Mr. DEFAZIO.

H.R. 1324: Ms. PINGREE of Maine.

H.R. 1339: Mr. ANDREWS.

H.R. 1351: Mr. WILSON of Ohio and Mr. BACA.

- H.R. 1522: Ms. WOOLSEY and Mr. RUSH.
H.R. 1547: Mr. BERMAN.
H.R. 1587: Mrs. HALVORSON.
H.R. 1625: Mr. BOYD, Mr. BRADY of Pennsylvania, Mr. HARE, and Mr. ROTHMAN of New Jersey.
H.R. 1670: Mr. CLAY.
H.R. 1682: Mr. BILBRAY.
H.R. 1806: Mr. WILSON of Ohio, Mr. KILDEE, and Mr. RYAN of Ohio.
H.R. 1829: Ms. SUTTON and Mrs. McMORRIS RODGERS.
H.R. 1855: Mr. QUIGLEY and Ms. SCHAKOWSKY.
H.R. 1889: Ms. RICHARDSON.
H.R. 1894: Mr. JACKSON of Illinois and Mr. LATHAM.
H.R. 1895: Mr. LEE of New York.
H.R. 2049: Ms. BERKLEY.
H.R. 2054: Mr. MEEKS of New York, Mr. PAYNE, Ms. BALDWIN, Mr. ANDREWS, and Mr. RUPPERSBERGER.
H.R. 2067: Mr. HOLDEN and Mr. BACA.
H.R. 2084: Mr. HALL of Texas.
H.R. 2136: Ms. NORTON, Mr. CAO, Mr. WU, and Mr. CARNAHAN.
H.R. 2142: Mr. PETERSON.
H.R. 2149: Mr. CHILDERS.
H.R. 2176: Mr. ALTMIRE.
H.R. 2212: Mr. POLIS.
H.R. 2275: Mr. GUTIERREZ, Mr. LYNCH, Ms. SUTTON, Mr. CAO, Ms. DeLAURO, Ms. KILPATRICK of Michigan, Ms. BALDWIN, and Mr. GRIJALVA.
H.R. 2287: Mr. ISSA.
H.R. 2305: Mr. MORAN of Kansas.
H.R. 2324: Mr. COHEN.
H.R. 2336: Mr. WU.
H.R. 2378: Ms. WOOLSEY, Mr. BOREN, and Mr. HODES.
H.R. 2443: Mr. BERRY.
H.R. 2455: Mr. SCHIFF and Mr. TOWNS.
H.R. 2480: Mr. ALTMIRE.
H.R. 2485: Ms. ZOE LOFGREN of California.
H.R. 2521: Mr. PERRIELLO.
H.R. 2546: Mr. CLAY and Ms. KAPTUR.
H.R. 2575: Mr. FRANK of Massachusetts.
H.R. 2582: Ms. RICHARDSON.
H.R. 2625: Ms. NORTON.
H.R. 2746: Mrs. MCCARTHY of New York, Mr. GORDON of Tennessee, and Mr. WU.
H.R. 2791: Ms. RICHARDSON.
H.R. 2807: Mrs. CAPPS.
H.R. 2946: Mr. BRADY of Pennsylvania.
H.R. 2964: Mr. MOORE of Kansas.
H.R. 3035: Mr. JACKSON of Illinois.
H.R. 3039: Mr. AUSTRIA.
H.R. 3048: Mr. WEINER.
H.R. 3076: Ms. RICHARDSON.
H.R. 3116: Mr. PASCRELL.
H.R. 3185: Mr. COURTNEY.
H.R. 3189: Mr. SCALISE.
H.R. 3202: Mr. TIERNEY.
H.R. 3240: Mr. CASTLE and Ms. WATERS.
H.R. 3286: Mr. WEINER.
H.R. 3339: Mr. POMEROY, Mr. FARR, Mr. LARSEN of Washington, Mr. GARAMENDI, and Mr. GEORGE MILLER of California.
H.R. 3353: Ms. RICHARDSON.
H.R. 3380: Mr. CALVERT.
H.R. 3408: Mr. HOLT, Mr. CLEAVER, and Mr. LARSEN of Washington.
H.R. 3492: Ms. HIRONO.
H.R. 3554: Mr. WEINER.
H.R. 3615: Ms. GINNY BROWN-WAITE of Florida.
H.R. 3652: Mr. COHEN, Mr. KIND, Ms. ESHOO, Mr. JACKSON of Illinois, Mr. GARAMENDI, Mr. LARSON of Connecticut, and Mr. NADLER of New York.
H.R. 3655: Mr. WILSON of Ohio.
H.R. 3666: Mr. GERLACH and Mr. KAGEN.
H.R. 3668: Mr. BARROW and Mr. SMITH of Texas.
H.R. 3705: Ms. CHU.
H.R. 3745: Ms. MCCOLLUM.
H.R. 3758: Mr. GRAYSON.
H.R. 3781: Mr. ROSS.
H.R. 3787: Mr. BUYER.
H.R. 3790: Mr. AL GREEN of Texas, Mr. KANJORSKI, and Mr. THOMPSON of Mississippi.
H.R. 3826: Mr. ROONEY.
H.R. 3919: Mr. POLIS.
H.R. 3924: Mr. SCALISE and Mr. BURGESS.
H.R. 3936: Mr. YARMUTH.
H.R. 3943: Mr. CALVERT and Mr. GRAYSON.
H.R. 3989: Mr. BISHOP of Utah and Ms. HIRONO.
H.R. 3990: Mr. FOSTER.
H.R. 3995: Mr. COHEN and Ms. PINGREE of Maine.
H.R. 4034: Mr. WALZ.
H.R. 4037: Mr. BOUCHER.
H.R. 4070: Ms. JENKINS.
H.R. 4109: Mr. JACKSON of Illinois and Mr. PAUL.
H.R. 4128: Mr. TIERNEY.
H.R. 4148: Mr. BRADY of Pennsylvania.
H.R. 4175: Mr. JORDAN of Ohio.
H.R. 4198: Mr. TERRY.
H.R. 4263: Mr. PRICE of North Carolina.
H.R. 4278: Mr. UPTON and Mr. MITCHELL.
H.R. 4318: Ms. HIRONO.
H.R. 4324: Mr. BOCCIERI.
H.R. 4375: Mr. KAGEN.
H.R. 4396: Mr. KINGSTON.
H.R. 4399: Ms. RICHARDSON.
H.R. 4405: Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, Ms. CORRINE BROWN of Florida, and Mr. BACA.
H.R. 4427: Ms. RICHARDSON and Mr. REHBERG.
H.R. 4480: Mr. HEINRICH, Mr. KIND, Mr. SKELTON, and Mr. CLAY.
H.R. 4502: Mr. HILL.
H.R. 4509: Mr. PUTNAM and Mrs. DAHLKEMPER.
H.R. 4525: Mr. KLINE of Minnesota.
H.R. 4541: Mr. BISHOP of New York and Mr. GRAYSON.
H.R. 4549: Mr. WEINER and Mr. PERRIELLO.
H.R. 4568: Mr. HOLDEN.
H.R. 4598: Mr. POLIS.
H.R. 4601: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 4603: Mr. THORNBERRY.
H.R. 4632: Mr. GRAYSON.
H.R. 4689: Mr. GERLACH, Mr. WEINER, Mr. SIREs, and Mr. BRADY of Pennsylvania.
H.R. 4690: Mr. FILNER.
H.R. 4693: Mr. NYE.
H.R. 4694: Mr. QUIGLEY.
H.R. 4722: Mr. POLIS.
H.R. 4733: Mr. POLIS.
H.R. 4748: Mr. LARSEN of Washington.
H.R. 4755: Ms. BALDWIN and Mr. MAFFEI.
H.R. 4788: Mr. KENNEDY, Mr. MOORE of Kansas, Mr. GUTIERREZ, Mr. ROTHMAN of New Jersey, Mr. McNERNEY, Ms. KAPTUR, Mr. GRAYSON, Ms. RICHARDSON, Ms. PINGREE of Maine, and Mr. DeFAZIO.
H.R. 4812: Ms. HARMAN, Mr. SPACE, Mr. McNERNEY, and Mr. DEUTCH.
H.R. 4844: Mr. PASCRELL.
H.R. 4859: Mr. EDWARDS of Texas.
H.R. 4866: Ms. GIFFORDS and Mr. THORNBERRY.
H.R. 4870: Mr. HARE and Mr. BISHOP of Georgia.
H.R. 4879: Mr. FILNER, Mrs. MCCARTHY of New York, Ms. WASSERMAN SCHULTZ, Ms. LINDA T. SANCHEZ of California, Mr. JACKSON of Illinois, Mr. McMAHON, and Mrs. NAPOLITANO.
H.R. 4888: Ms. BORDALLO and Mr. McNERNEY.
H.R. 4920: Mr. HARE, Mr. DAVIS of Illinois, Mr. CLAY, Mr. HASTINGS of Florida, Mr. CLEAVER, Mr. THOMPSON of Mississippi, Mr. MEEKS of New York, Mr. PAYNE, Mr. SCOTT of Georgia, Mr. WATT, Ms. EDWARDS of Maryland, Ms. WATSON, Ms. CORRINE BROWN of Florida, Ms. WATERS, Ms. LEE of California, and Mr. JACKSON of Illinois.
H.R. 4925: Mr. COHEN, Mr. MOORE of Kansas, and Mr. MAFFEI.
H.R. 4933: Mr. JACKSON of Illinois.
H.R. 4940: Mr. BURTON of Indiana and Mr. KILDEE.
H.R. 4959: Mr. MARSHALL and Mr. FRANK of Massachusetts.
H.R. 4961: Mr. SCOTT of Georgia, Ms. WASSERMAN SCHULTZ, and Mr. CLEAVER.
H.R. 4972: Mrs. BIGGETT, Mr. MILLER of Florida, and Mr. CHAFFETZ.
H.R. 4985: Mr. LATHAM and Mr. BOOZMAN.
H.R. 4990: Mr. GRAYSON.
H.R. 4995: Mr. CARTER.
H.R. 4999: Mr. BOOZMAN.
H.R. 5015: Mr. TOWNS, Ms. CHU, Mr. BRALEY of Iowa, Mr. CARSON of Indiana, Ms. FUDGE, Mr. GUTIERREZ, Mr. HARE, Mr. PETERS, Mr. QUIGLEY, Ms. SPEIER, Ms. WATERS, Mr. BISHOP of New York, Mr. FATTAH, Mr. RUSH, Mr. POLIS, Mr. WAXMAN, Mr. CLAY, and Ms. VELÁZQUEZ.
H.R. 5021: Mr. WEINER.
H.R. 5028: Mr. CONYERS and Ms. WATSON.
H.R. 5034: Mr. WALZ, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. CARSON of Indiana.
H.R. 5035: Mr. CAO.
H.R. 5040: Mr. FRANK of Massachusetts, Mr. MARSHALL, Mrs. NAPOLITANO, and Mr. HODES.
H.R. 5042: Mr. HODES and Mr. AL GREEN of Texas.
H.R. 5044: Mr. PETERS, Mr. McNERNEY, Mr. DEUTCH, Ms. TITUS, and Mr. PERRIELLO.
H.R. 5054: Mr. GARY G. MILLER of California and Mr. GOODLATTE.
H.R. 5055: Ms. NORTON.
H.R. 5065: Mr. GARRETT of New Jersey, Mr. LATTA, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 5072: Mr. LYNCH and Mr. SHERMAN.
H.R. 5092: Mr. PAULSEN, Mr. BACHUS, Mrs. BACHMANN, Mr. LATTA, Mr. FORTENBERRY, Mr. TIAHRT, Ms. PINGREE of Maine, Mr. FRELINGHUYSEN, Ms. JENKINS, Mr. KINGSTON, Mr. DENT, Mrs. BLACKBURN, Mr. ALEXANDER, Mrs. SCHMIDT, Mr. SHIMKUS, Mr. POSEY, Mr. BARTON of Texas, Mr. LUCAS, Ms. GRANGER, Mr. JOHNSON of Georgia, Mr. BERMAN, Mr. COLE, and Mrs. LUMMIS.
H.R. 5093: Mr. RUPPERSBERGER, Mr. SCOTT of Virginia, Mr. GARAMENDI, Ms. CHU, Mr. MEEK of Florida, Ms. WATSON, and Mr. POSEY.
H.R. 5107: Ms. RICHARDSON.
H.R. 5111: Mr. PRICE of Georgia, Mr. SMITH of Texas, Mr. GARY G. MILLER of California, Mr. WHITFIELD, Mrs. MILLER of Michigan, Mr. UPTON, Mr. HUNTER, Mr. WESTMORELAND, Mr. WITTMAN, Mr. EHLERS, and Mr. MORAN of Kansas.
H.R. 5117: Mr. MORAN of Virginia, Ms. SCHAKOWSKY, and Mr. GARAMENDI.
H.R. 5120: Mr. REICHERT, Ms. BORDALLO, and Mr. MURPHY of New York.
H.R. 5126: Mr. GOODLATTE.
H.R. 5129: Mr. McGOVERN.
H.R. 5137: Ms. WATSON and Mr. HODES.
H.R. 5142: Mr. POLIS, Ms. RICHARDSON, and Ms. ESHOO.
H.R. 5143: Mr. HINOJOSA, Mr. BOUCHER, and Mr. COHEN.
H.R. 5144: Mr. EDWARDS of Texas and Mr. OLSON.
H.R. 5145: Ms. BORDALLO.
H.R. 5156: Mr. SCHIFF and Ms. SUTTON.
H.R. 5159: Mr. GEORGE MILLER of California, Mr. CUMMINGS, and Mr. STARK.
H.R. 5173: Mr. BARRETT of South Carolina and Mr. FRANKS of Arizona.
H.R. 5177: Mr. PENCE, Mr. BOOZMAN, Mr. LATHAM, Mr. KING of Iowa, Mr. SIMPSON, Mr. WILSON of South Carolina, Mr. SKELTON, and Mr. MORAN of Kansas.
H.R. 5191: Mr. MEEKS of New York and Ms. LEE of California.
H.R. 5200: Mr. SARBANES and Mr. SESTAK.
H.R. 5207: Mr. HERGER and Mr. HINCHEY.
H.R. 5210: Mrs. CAPPS.
H.R. 5213: Mr. BLUMENAUER and Mrs. DAVIS of California.

H.R. 5214: Ms. CASTOR of Florida, Mr. HINCHAY, Ms. HIRONO, Mr. HARE, Mr. HALL of New York, Mr. SARBANES, Mr. LANGEVIN, and Mr. CHANDLER.

H.R. 5220: Mr. SALAZAR, Mr. POMEROY, Mr. ALTMIRE, Mr. YARMUTH, Ms. ESHOO, Mrs. MCCARTHY of New York, Mr. MCDERMOTT, Mr. DICKS, Mr. ROTHMAN of New Jersey, Mr. MOORE of Kansas, Mr. ELLISON, Ms. TITUS, Mr. SESTAK, Ms. BERKLEY, Mr. LUJÁN, Mr. BOSWELL, Mr. MICHAUD, Mr. MELANCON, Ms. SHEA-PORTER, Mr. KILDEE, Mr. WALZ, Mr. TONKO, Mr. DAVIS of Illinois, Mr. DRIEHAUS, Mr. BRALEY of Iowa, Mr. OBERSTAR, Mr. SPRATT, Mr. MATHESON, Ms. KILROY, Mr. RYAN of Ohio, Mr. OLVER, Mr. FOSTER, Mr. HONDA, Mr. STARK, Mr. LOEBBACH, Mr. BOREN, Mr. DELAHUNT, Ms. PINGREE of Maine, Mr. MARKEY of Massachusetts, Mr. MINNICK, Ms. WASSERMAN SCHULTZ, Mr. LANGEVIN, Mr. CAPUANO, Mr. DOGGETT, Mr. ELLSWORTH, Mr. COURTNEY, Mr. LYNCH, Mr. QUIGLEY, Mr. CARSON of Indiana, and Ms. SUTTON.

H.R. 5226: Mr. PERLMUTTER, Mr. MOORE of Kansas, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. MAFFEL, Mr. STUPAK, Mr. RAHALL, Mr. ELLSWORTH, Mr. SPRATT, Mr. ALTMIRE, Ms. RICHARDSON, Mr. SPACE, and Mr. BOUCHER.

H.J. Res. 42: Mr. GRIFFITH.

H.J. Res. 61: Ms. VELÁZQUEZ.

H.J. Res. 76: Mr. KILDEE, Mr. KINGSTON, and Mr. REHBERG.

H. Con. Res. 30: Mr. SCOTT of Virginia.

H. Con. Res. 201: Mr. BILBRAY.

H. Con. Res. 226: Mrs. DAVIS of California.

H. Con. Res. 230: Mr. FLEMING, Mr. WITTMAN, Mr. COURTNEY, Mr. HUNTER, Mr. DONNELLY of Indiana, Mr. BARTLETT, and Ms. FALLIN.

H. Con. Res. 260: Ms. BEAN, Mr. CALVERT, Mr. YOUNG of Florida, Mr. BACA, Mrs. BLACKBURN, Mr. CRENSHAW, Mr. CUMMINGS, Mr. SCALISE, Mr. ISRAEL, Mr. ARCURI, Mr. PIERLUISI, Mr. LATHAM, Mr. SARBANES, and Mr. ROGERS of Kentucky.

H. Con. Res. 266: Mr. MICHAUD and Ms. EDDIE BERNICE JOHNSON of Texas.

H. Con. Res. 268: Ms. NORTON, Ms. MATSUI, Ms. WASSERMAN SCHULTZ, Mr. MEEK of Florida, Ms. DEGETTE, and Mr. BACA.

H. Con. Res. 271: Mr. BRADY of Texas and Mr. POE of Texas.

H. Con. Res. 274: Mr. CALVERT, Mr. SIMPSON, Mr. GARY G. MILLER of California, Mr. MANZULLO, and Mr. CANTOR.

H. Res. 173: Mr. KANJORSKI, Ms. BALDWIN, Mr. PETERSON, Mr. GARRETT of New Jersey, Mr. ALTMIRE, Mr. MCINTYRE, and Mr. MEEK of Florida.

H. Res. 363: Mr. GRAYSON.

H. Res. 407: Ms. SUTTON and Mr. TURNER.

H. Res. 416: Ms. BALDWIN and Ms. WATSON.

H. Res. 582: Mr. GRIJALVA, Ms. RICHARDSON, and Mr. CONYERS.

H. Res. 584: Mr. WILSON of Ohio, Mr. CAPUANO, Mr. MILLER of North Carolina, Mr. DICKS, Mr. SOUDER, Mr. MORAN of Kansas, Mr. ELLSWORTH, and Mr. DAVIS of Kentucky.

H. Res. 764: Ms. BERKLEY.

H. Res. 873: Mr. BILBRAY, Mr. GORDON of Tennessee, Mr. MCMAHON, Mr. MORAN of Virginia, and Mr. GENE GREEN of Texas.

H. Res. 989: Mr. GRAYSON and Mr. HODES.

H. Res. 1056: Mr. TIBERI and Mr. MURPHY of New York.

H. Res. 1060: Mr. DUNCAN.

H. Res. 1073: Mr. MORAN of Kansas.

H. Res. 1143: Mr. HARE.

H. Res. 1155: Ms. SUTTON.

H. Res. 1175: Mr. JONES.

H. Res. 1211: Mr. MCGOVERN, Mr. HASTINGS of Florida, Mr. MURPHY of New York, Mr. EDWARDS of Texas, and Mr. BACA.

H. Res. 1226: Mr. POSEY.

H. Res. 1229: Mr. YOUNG of Florida.

H. Res. 1251: Mr. EDWARDS of Texas.

H. Res. 1265: Mr. JACKSON of Illinois.

H. Res. 1273: Mr. SMITH of New Jersey, Mr. CULBERSON, and Mr. CANTOR.

H. Res. 1279: Mr. SMITH of New Jersey.

H. Res. 1291: Mr. MURPHY of New York, Mr. TOWNS, Mr. DONNELLY of Indiana, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. ELLSWORTH, Mr. SIRES, Mr. BRALEY of Iowa, Mr. WELCH, Mr. YARMUTH, Mr. MCMAHON, Mr. BISHOP of New York, Mr. WEINER, and Mr. MCNERNEY.

H. Res. 1294: Mr. SHIMKUS, Mr. ROSKAM, and Mr. TAYLOR.

H. Res. 1297: Mr. MEEK of Florida.

H. Res. 1302: Ms. BALDWIN and Mr. YOUNG of Alaska.

H. Res. 1313: Mr. ROE of Tennessee, Mr. LATTI, and Mr. LAMBORN.

H. Res. 1321: Ms. LEE of California.

H. Res. 1330: Ms. BORDALLO, Ms. HIRONO, Mrs. CHRISTENSEN, Mr. MORAN of Virginia, Mr. LEWIS of Georgia, Mr. POLIS, Mrs. MALONEY, Mr. BAIRD, and Mr. FALEOMAVAEGA.